

# Washington, Thursday, April 27, 1944

# The President

# **EXECUTIVE ORDER 9438**

AUTHORIZING THE SECRETARY OF COMMERCE TO TAKE POSSESSION OF AND TO OPERATE THE PLANTS AND FACILITIES OF MONT-GOMERY WARD AND COMPANY, LOCATED IN CHICAGO, ILLINOIS

WHEREAS after investigation I find and proclaim that there are existing and threatened interruptions of the operations of the plants and facilities of Montgomery Ward and Company, located in Chicago, Illinois, as a result of labor disturbances arising from the failure of Montgomery Ward and Company to comply with directive orders of the National War Labor Board; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these plants and facilities and of other plants and facilities which are threatened to be affected by the said labor disturbances:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of Commerce is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of Montgomery Ward and Company, located in Chicago, Illinois, including the mail order house, the retail store and the Schwinn Warehouse, together with any real or personal property and other assets used in connection with the operation thereof, and to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war, and to do all things necessary or incidental thereto. The Secretary of Commerce is further authorized to exercise any contractual or other rights of the Company and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of Commerce shall operate the plants and facilities of the Company under the terms and conditions of the directive orders of the National War Labor Board dated January 15, 1944, and April 5, 1944.

3. The Sécretary of Commerce is authorized to take any action that he may deem necessary or desirable to provide protection for the plants and facilities and for all persons employed or seeking employment therein.

4. Upon the request of the Secretary of Commerce, the Secretary of War shall take any action that may be necessary to enable the Secretary of Commerce to carry out the provisions and purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of Commerce within sixty days after he determines that the productive efficiency of the plant, facility, or parts thereof prevailing prior to the existing and threatened interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
April 25, 1944.

[F. R. Doc. 44-5953; Filed, April 25, 1944; 4:24 p. m.]

### Regulations

TITLE 8—ALIENS AND NATIONALITY
Chapter I—Immigration and Naturalization Service

PART 142—PREENALIZATION OF ALIENS WITHIN THE UNITED STATES

MISCELLANEOUS AMERIDMENTS

APRIL 14, 1944.

The following changes are made in Part 142, Chapter I, Title 8, Code of Federal Regulations:

Section 142.5 is amended to read as , follows:

§ 142.5 Preexamination; authorization; where deportation proceedings have (Continued on next page)

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Book 1: Titles 1-3 (Presidential documents) with tables and index. Book 2: Titles 4-9, with index.

Book 3: Titles 10-17, with index.

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not been instituted. A designated official in the Central Office shall have authority to authorize the preexamination of any alien eligible under the provisions of this Part against whom a warrant of arrest in deportation proceedings has not been issued.

Section 142.6 is amended to read as follows:

§ 142.6 Preexamination; application; how filed. An application for preexamination on the part of an alien against whom no deportation proceeding is pending shall be made on Form No. I-155, accompanied by General Information Form No. I-55, and both filed in duplicate with the Commissioner, Immigration and Naturalization Service, Philadelphia, Pennsylvania. Such application may be filed independently or in conjunction with a petition for nonquota or-preference quota visa filed on the applicant's behalf pursuant to § 165.1 of this title. An application for preexamination on the part of an alien against whom a deportation proceeding is pending shall be made on Form No. 1-255, accompanied by General Information Form No. I-55, and both filed in duplicate in conjunction with an application for the privilege of departure in lieu of deportation as provided in §§ 150.6 (g) and 150.8 (b) of this title.

Section 142.9 is amended by deleting paragraph (d).

(39 Stat. 892, 43 Stat. 166; 8 U.S.C. 102, 222)

> EARL G. HARRISON, Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE, Attorney General.

[F. R. Doc. 44-5901; Filed, April 25, 1944; 12:24 p. m.]

# TITLE 10-ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 33-GRATUITY UPON DEATH

DESIGNATION OF BENEFICIARIES Section 33.4 is amended to read as

follows: Classes of beneficiaries—(a)

Preferred beneficiaries. Under the law,

preferred beneficiaries in the named, are first, the widow or widower, and second, the child or children, and are so referred to in these regulations. Under the law as now construed payment may not be made to a married child in any case, or to an unmarried child over 21 years of age unless actually dependent on the deceased. An unmarried child over 21 years of age will be required to furnish proof of actual dependency to establish eligibility for the

gratuity.

(b) Designated dependent relative.
(1) A designated dependent relative means a relative other than a preferred beneficiary, with an insurable interest, and who has been designated by the deceased member of the Army of the United States as the person to whom the 6 months' gratuity should be paid in the event there is no preferred beneficiary eligible at the time of decease to receive such gratuity. A designated dependent relative may include any person who is related to the member of the Army of the United States either by consanguinity (that is, by blood) or by affinity (that is, by marriage) and who has an insurable interest (see subparagraph (2) of this paragraph) in the person making the designation. Only those designated relatives found to have an insurable interest are eligible as beneficiaries. A husband is related by affinity to all persons related to his wife by consanguinity. and the wife is related by affinity to all persons related to her husband by consanguinity. Neither is related by affinity to any person related to the other by affinity, and blood relations of the husband and blood relations of the wife are not related to each other by affinity. A friend is not eligible for designation as a beneficiary.

(2) (i) A father, mother, brother, or sister of a member of the Army of the United States is deemed to have an insurable interest in such member by relationship alone, without affirmative

proof of dependency.

(ii) Insurable interest in a member of the Army of the United States on the part of other relatives must be demonstrated affirmatively for payment. The term "insurable interest" is dependent upon the facts in each individual case at the time of death, but as an aid to a determination as to what constitutes an insurable interest the following should be considered, and will ordinarily meet the requirements of the law: Evidence tending to show that such relative stood in place of parent to such member of the Army of the United States; contributions from one to the other for support, education, etc., or a debtor-creditor relationship between the member of the Army and the relative; other conditions and circumstances resulting in the reasonable expectation of some benefit or advantage from the continuance of the life of such member of the Army of the United States.

(iii) The test of insurable interest has no application in the determination of the rights of preferred beneficiaries.

(c) Undesignated dependent relative. In the absence of an eligible preferred or designated beneficiary at the time of death, undesignated grandchildren, par-

ents, brothers or sisters, and grandparents may, under conditions set forth in this paragraph (c), be beneficiaries ele-gible to receive the death gratuity.

(1) If there is no widow, widower, child, or eligible previously designated dependent relative the gratuity is payable to any grandchild, parent, brother or sister, or grandparent shown to have been dependent upon the officer or enlisted person prior to his death. This provision of law is effective from 27 August 1940.

(2) "Dependent prior to death" is construed to define a class of dependents of the relationship specified and having an insurable interest in the life of the deceased person. All determinations relative thereto are made within the War Department as directed by the Secretary of War.

(3) Insurable interest is established by relationship without requirement for affirmative evidence in the cases of parents and brothers or sisters. In the cases of grandchildren and grandparents it is to be determined from the circumstances in each case, due consideration being given to factors stated in paragraph (b) (2) (ii) of this section.

(4) The order of succession for these payments is:

(i) Grandchildren.

(ii) Parents,

(iii) Brothers or sisters,

(iv) Grandparents.

each constituting a group all the eligible members of which having an insurable interest share equally in the amount of gratulty payable. (41 Stat. 367, 41 Stat. 766, 57 Stat. 599; 10 U.S.C. Sup. 903) [Pars. 2 and 5, AR 600-600 12 April 1944]

ROBERT H. DUNLOP, [SEAL] Brigadier General, Acting The Adjutant General.

[F. R. Doc. 44-5914; Filed, April 26, 1944; 9:24 a. m.]

TITLE 16-COMMERCIAL PRACTICES

Chapter I—Federal-Trade Commission

[Docket No. 4930]

PART 3-DIGEST OF CEASE AND DESIST **ORDERS** 

### MACDOUGAL BROTHERS

§ 3.36 (k) Misbranding or mislabeling; source or origin; place. In connection with offer, etc., in commerce, of potatoes, (1) representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes; and (2) representing in any manner that potatoes were grown in a State or locality different from that in which they were actually grown; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, MacDougal Brothers, Docket 4990, April 11, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of April, A. D. 1944.

In the Matter of Donald N. MacDougal and Dan A. MacDougal, Individuals, Doing Business as MacDougal Brothers

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission

It is ordered, That the respondents Donald N. MacDougal and Dan A. Mac-Dougal, individuals trading as Mac-Dougal Brothers, or under any other name, jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of potatoes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes.

2. Representing in any manner that potatoes were grown in a State or Iocality different from that in which they

were actually grown.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 44-5929; Filed, April 26, 1944; 11:02 a. m.]

[Docket No. 5000]

PART 3-DIGEST OF CEASE AND DESIST ORDERS

BISHOP & BABBIN, INC.

§ 8.66 (k) Misbranding or mislabeling; source or origin; place. In connection with offer, etc., in commerce, of potatoes, (1) representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes: and (2) representing in any manner that potatoes were grown in a State or locality different from that in which they were actually grown; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec 45b) [Cease and desist order, Bishop & Babbin, Inc., Docket 5000, April 11, 19441

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of April, A. D. 1944.

In the Matter of Bishop & Babbin, Inc. a Corporation

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before an examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Bishop & Babbin, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of potatoes in commerce. as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing in any manner, through the use of the word "Maine" or otherwise, that potatoes not grown in the State of Maine are Maine potatoes.

2. Representing in any manner that potatoes were grown in a state or locality different from that in which they were actually grown.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 44-5930; Filed, April 26, 1944; 11:02 a. m.]

# TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter I-Monetary Offices

[Public Circular 14]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS IS-SUED PURSUANT THERETO

LIMITATIONS ON ACQUISITIONS OF SECURITIES FOR BLOCKED ACCOUNTS

APRIL 26, 1944.

Public Circular No. 14, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Public Circular No. 14 is hereby amended to read as follows:

(1) Acquisitions of securities not authorized in certain cases. No license or other authorization now outstanding or hereafter issued, unless expressly referring to this public circular, shall be deemed to authorize any blocked country or any national thereof to acquire, directly or indirectly, securities of any one issue of a corporation if the securities so acquired together with the agregate of all other securities held, directly or indirectly, by such blocked

country or national, constitute more than three percent of the outstanding securities of that issue. Banking institutions shall not effect any such acquisitions if they have reasonable cause to believe that the terms hereof are being violated.

(2) Reports required on Form TFR-14. Beginning with the quarter ending June 30, 1944, banking institutions shall file quarterly reports on Form TFR-14 with respect to securities of domestic corporations held for any blocked country or national thereof which aggregate, at the end of the quarter, one percent or more of the outstanding securities of the issue of which they form a part. A separate report for each blocked country or national shall be filed in duplicate with the appropriate Federal Reserve Bank on or before the end of the month following the calendar quarter. This reporting requirement shall be deemed to be in lieu of that required under any license now outstanding or hereafter issued so far as such license requires the filing of reports with respect to securities held for any blocked account or to the acquisition or sale of securities for any blocked account, unless such license specifically requires reports notwithstanding this circular.

(3) Sub-account regarded as part of entire account. For the purposes of this circular, securities in a sub-account shall be regarded as held for the national in whose name the entire account is maintained.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941, Ex. Order 8832, July 26, 1941, Ex. Order 8963, Dec. 9, 1941, and Ex. Order 8998, Dec. 26, 1941; Ex. Order 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-5944; Filed, April 26, 1944; 11:25 a. m.]

# TITLE 32—NATIONAL DEFENSE

Chapter IX-War Production Board

Subchapter B-Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—Suspension Orders [Suspension Order S-529]

L. BRUCKER STOVE & HARDWARE COMPANY, INC.

L. Brucker Stove & Hardware Company, Inc., is a Missouri corporation, engaged in the sale at retail of hardware, plumbing and heating equipment, at 306 North Main Street, St. Charles, Missouri. After March 14, 1942, it extended A-10 ratings on numerous occasions to replace new plumbing and heating equipment in inventory when the material so replaced

was not sold for necessary emergency repairs, but for new installations, in violation of Preference Rating Order P-84. After April 16, 1942, respondent sold and delivered numerous items of new plumbing and heating equipment, the cost of which to the purchaser was more than \$5.00, in violation of General Limitation Order L-79, such sales being made on unrated purchase orders not accompanied by any certificates specified in the order. The company failed to keep records as required by the respective orders, in violation of Priorities Regulation No. 1, General Limitation Order L-79, and Preference Rating Order P-84.

All of these violations were wilful, and have resulted in a diversion of scarce materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, It is hereby ordered, That:

§ 1010.529 Suspension Order No. S-529. (a) Deliveries of material to L. Brucker Stove & Hardware Company, Inc., its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, including, without limiting the generality of the foregoing, preference ratings assigned under the provisions of General Limitation Order L-79, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation including allotments shall be made to L. Brucker Stove & Hardware Company, Inc., its successors or assigns, directly or indirectly, of any material or product, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve L. Brucker Stove & Hardware Company, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same way be inconsistent with the provisions hereof.

(d) This order shall take effect on April 25, 1944, and shall expire on July 25, 1944

Issued this 18th day of April 1944, War Production Board.

By J. Joseph Whelan,

Recording Secretary.

[F. R. Doc. 44-5907; Filed, April 25, 1944; 4:34 p. m.]

PART 1010—SUSPENSION ORDERS [Suspension Order S-531]

CARTMELL'S SALES & SERVICE

Robert J. Cartmell, doing business as Cartmell's Sales & Service, sells and services farm machinery, milk cooling equipment, and refrigerating equipment, in Middlebury, Vermont. In January, 1943,

he installed a frozen food locker storage plant in Morrisville, Vermont; the installation was not on a preferred order, and it was therefore in violation of Limitation Order L-38. In July and August. 1943, he used copper tubing for interconnecting refrigerant lines larger than 34 inch size (O. D.) in food locker installations in Fairhaven and Woodstock, Vermont, although Limitation Order L-126, Schedule II, prohibited the use of such tubing larger than 34 inch size (O. D.). This was a violation of Limitation Order L-126, Schedule II. In 1943 Mr. Cartmell made four sales of new metal plumbing equipment for more than \$10. to ultimate consumers, which equipment he knew was unlike any the purchasers had before; he stamped on the orders (his printed forms) for the equipment "material for maintenance, repair or operating supplies—rating A-10 under Preference Rating Order P-10" and told the purchasers that in order to obtain the equipment they had to sign the certificates, although he knew that the orders were not for maintenance, repair or operating supplies. This was in violation of Limitation Order L-79. In view of the foregoing, it is hereby ordered, that:

§ 1010.531 Suspension Order No. S-531. (a) Deliveries of material to Robert J. Cartmell, doing business as Cartmell's Sales & Service, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

- (b) No allocation, including allotments, of any material or product, the supply or distribution of which is governed by any order of the War Production Board, shall be made to Robert J. Cartmell, doing business as Cartmell's . Sales & Service, or otherwise, his successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.
- (c) The provisions of this order shall not apply to repair parts for the servicing of refrigerating equipment and farm machinery.
- (d) Nothing contained in this order shall be deemed to relieve Robert J. Cartmell, doing business as Cartmell's Sales & Service, or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.
- (e) This order shall take effect on April 25, 1944, and shall expire on August 25, 1944.

Issued this 18th day of April 1944.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-5908; Filed, April 25, 1944; 4:34 p. m.]

PART 1226-GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-273 as Amended Apr. 26, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.87 General Limitation Order L-273-(a) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacture" means to fabricate, process or assemble materials into

(3) "Busway" means any bus duct, busway, or other device for the transmission and distribution of electric energy at 600 volts or less, and consisting of prefabricated (factory fabricated) sections or units made up of rigid copper conductors of any shape or arrangement, separated by insulators or insulating material and enclosed in a case or attached to a supporting framework, and assembled into a connected system in the course of installation, and includes plug-in devices, feed-in boxes, over-current protective devices, and any other parts designed for use therewith.
(i) "Plug-in type busway" means bus-

way having a case (or framework) designed primarily to afford protection against accidental contact and/or extra rigidity for use with plug-in devices; and

(ii) "Feeder type busway" means busway having a case (or framework) affording mechanical protection and rigidity for the support normally required, but designed primarily to assure maximum current carrying capacity without excessive temperature rise.
(iii) The term "busway" shall not in-

clude

(a) Busway designed for use with movable or rolling trolleys; or

(b) Busway having a cross-sectional area per conductor of less than 50,000 circular mills; or

(c) Extensions of any size or type of busway or conductors not exceeding ten feet in length furnished as an integral part of a switchboard, panelboard, or distribution transformer bank; or

(d) Step type busway designed to be used as a distribution center wherein provision is made to tap branch circuit wiring to over-current protective devices directly from the busway conductors through the use of lugs bolted on such conductors, and not having provision for the use of plug-in devices.

(b) Restrictions on acceptance of orders, and deliveries. On and after April 5, 1943, no manufacturer, dealer or other person shall accept any order for any new busway, or deliver any busway under any order tendered before or after that date, unless such order bears a preference rating of AA-5 or higher.

(c) Restrictions on mechanical and electrical design. Except as otherwise provided in paragraph (d) of this order. no person shall manufacture or deliver, and no person shall accept delivery of, any busway which is not manufactured in accordance with the following restrictions:

(1) (i) Plug-in type busway. No person shall manufacture any plug-in type busway having any line or phase copper conductors of any size except the sizes designated below, and such busway shall not contain more than the specified quantities of steel per linear foot:

Reference No.	Nominal ampero rating	Copper circular mill crea for con- ductor	Con- ductor toler- ance	Steel maxi- mum lbs. per linear fcot
Pluz-intyre 1	- 250 450 660	124,609 201,000 472,660	Per- ent ±55 ±155 ±5	4.5 4.5 4.5

Provided, that no person shall manufacture any such busway, with provision for the use of plug-in devices, of larger size or capacity than Size No. 3 above unless and until specifically authorized to do so by the War Production Board pursuant to paragraph (d) of this order; and if authorized, the sizes of copper conductors used shall conform to the conductor sizes, and the steel used therein per linear foot shall not exceed the quantities specified below for corresponding sizes of feeder type busway.

(ii) Feeder type busway. No person shall manufacture any feeder type busway having any line or phase copper conductors of any size except the sizes designated below, and such busway shall not contain more than the specified quantities of steel per linear foot:

Reference No.	Nominal ampero rating	Copper circular mill area per con- ductor	Con- ductor toler- ance	Steel maxi mum lbs. per linear foot
Feeder Type  1	20 40 60 60 1,20 1,20 2,60 4,60	124,006 201,000 472,000 637,000 937,000 1,450,000 1,914,000 3,100,000 6,164,000	Percent 444444444444444444444444444444444444	4.5 4.5 4.5 5.0 0.0 7.0 8.0 9.0

Provided, That no person shall manufacture any feeder type busway in Sizes 9 or 10 above unless and until specifically authorized to do so by the War Production Board, pursuant to paragraph (d) of this order, after it has been demonstrated to the satisfaction of the latter that the use of runs of smaller size feeder type busway would not be practicable.

(iii) For the purpose of this order, the "nominal ampere rating" shall be

deemed to indicate the approximate capacity of the designated size of busway under average installation conditions and continuous operation, but shall not be construed to prohibit the use of the designated size for carrying a load in excess of, or less than, such nominal ampere rating; and the "steel maximum lbs. per linear foot" shall mean the permitted average weight in pounds of steel per linear foot included in the case (or framework), insulator supports, covers, nuts, bolts, straps, and other hardware, but excluding any hangers, or other supporting members which are used for attaching the busway to the structure in which installed.

(2) (i) No person shall manufacture more than one model or design of plugin type busway, or of feeder type busway, in any of the sizes provided for under the preceding paragraph (c) (1), except that any person may produce not more than two models or designs in Size No. 1 of plug-in type busway. The use of any of the following types or arrangements of busway parts shall not be deemed to constitute a separate model or design within any of the sizes provided for under the preceding paragraph (c) (1):

(a) Conductors in single phase, two pole; three phase, three pole; three phase, four wire; two phase, four wire, or two phase, five wire;

(b) Use, or non-use, of plug-in or ventilating openings in Sizes No. 1 to No. 3 inclusive, of any busway;

(c) Use of additional sealing compound to afford weatherproof construction:

- (d) Variations in length of sections, or in size or shape of such associated fittings as elbows, crosses, tees, connections between busway sections of different sizes or types, or special end construction to fit switchboards, panel-boards and other devices not a part of the busway system.
- (ii) After April 24, 1943, no person shall manufacture any plug-in type or feeder type busway, in any size, or of any design or model, unless and until he has first filed with the War Production Board by letter, in triplicate, a description of the size and model or design of such busway. Such description shall clearly set forth the following information with regard to such busway:
- (a) Nominal cross-sectional dimensions of line or phase copper conductors;
- (b) Average weight in pounds of steel used per linear foot, computed in accordance with (c) (1) (iii) above;
- (c) Insulator spacing when ten foot sections are used:
- (d) Type of plating or finish used on bus bar:
- (e) Type of paint or finish used on case or framework;
- (f) Case design with nominal dimensions and thickness, U. S. S. gauge, of the busway case (or framework).

The models or designs so described shall constitute the standard models or designs adopted by the manufacturer as those which he proposes to manufacture in accordance with paragraph (c) (2) (i) above.

(iii) Except as permitted under paragraph (c) (2) (i), no person shall alter or change any such model or design manufactured by him to such an extent that it does not substantially conform to the description adopted and furnished by him pursuant to this order, or manufacture any busway of any other model or design for any particular installation, unless and until he has been specifically authorized to do so by the War Production Board, pursuant to paragraph (d) of this order, after it has been demonstrated to the satisfaction of the latter that such change of the standard model or design would result in the conservation of additional quantities of steel or other critical materials, or the more effective utilization of labor or production facilities without increase in the use of such materials, or that the manufacture of an exceptional model or design is essential on account of the exceptional installation conditions of the particular installation.

The application for such specific authorization shall be made by letter, in triplicate, and shall include a description of the proposed model or design as specified above under (c) (2) (ii). If such authorization is granted, all busway manufactured pursuant thereto shall be in conformity with such description, and if a new standard model or design is thereby established in any size for a particular manufacturer, such model or design shall replace his former model or design in such size.

(3) No person shall manufacture any feeder type busway unless it is so designed that any designated size will carry, under continuous duty, a full power load equivalent to the nominal ampere rating for such size as indicated under paragraph (c) (1) (ii) above, and without exceeding a temperature rise of 70° C. in any part of the conductors when the busway is so placed in various horizontal positions that the maximum temperature rise in any conductor is attained at the heat saturation point. (when measured for "hot-spot" temperatures in accordance with American Institute of Electrical Engineers Standards, "A. I. E. E. No. 1, June 1940").

(4) No person shall manufacture any plug-in type or feeder type busway which contains in, or as a plating or finish on, the case (or framework), nuts, bolts, washers, name plates or identification plates any of the following materials: copper, chromium, nickel, cadmium, or alloys thereof. Zinc may not be used as a finish or plating on the case, or framework.

(d) Authorizations. Application for authorization by the War Production Board under paragraphs (c) (1) (i), or (c) (1) (ii), or for a particular installation under (c) (2) (iii) above, shall be made by the manufacturer, by letter, in triplicate, setting forth facts sufficient to enable the War Production Board to determine the necessity or justification for such an authorization.

(e) Exemptions. The restrictions and limitations of paragraph (c) of this order shall not apply:

(1) [Deleted Apr. 26, 1944]

(2) To the use of component parts of busway which on April 5, 1943, had been fabricated or processed to the extent that use in conformity with this order would be impractical; or

(3) [Deleted Apr. 26, 1944]

(4) To the manufacture and delivery of any busway not exceeding 100 feet in length when used as an extension to or in a rearrangement or repair of a presently installed busway system.

(f) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of all regulations of the War Production Board, as issued and amended from time to time.

(2) [Deleted Oct. 26, 1943.](3) [Deleted Oct. 26, 1943.]

(4) Violations. Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) Appeals. Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) Communications. All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-273.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD
By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-5937; Filed, April 26, 1944; 11:28 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 1, as Amended Apr. 26, 1944]

HOW TO OBTAIN ALUMINUM PATTERN EQUIP-MENT UNDER CMP

The following amended direction is issued pursuant to CMP Regulation 5:

(a) The word "patterns" as used in the following instructions means only match plates, patterns, core boxes, core driers, flasts and bottom boards made of aluminum. It does not include such items as jigs, dies, molds, fixtures, or other tooling of a type which has only one special use since these are provided for in Direction 35 to OMP Regulation No. 1.

(b) Fatterns (including finished aluminum patterns) are castings under CMP and hence controlled materials.

hence controlled materials.

(c) When the purchaser of a pattern furnishes the pattern foundry with all the required weight of aluminum in the form of obsolete or defective patterns:

(1) No preference rating or CMP allot-ment symbol, number or certification is re-quired on the order to the foundry or to the

pattern maker:

(2) Any foundry may remelt aluminum scrap in the form of obsolete or defective patterns furnished by the prospective pur-chaser of the new pattern (and only such type of aluminum scrap) without prior authorization; and

(3) Wherever possible, old patterns should be used to make new patterns.

(d) When the purchaser of a pattern does not furnish all the aluminum, he may place an authorized controlled material order for aluminum patterns by affixing the symbol MRO on his order and the certification set forth in CMP Regulation No. 7, executed as provided in that regulation.

Note: Remainder of the paragraph imposing a 600 pound limit on the use of new aluminum for patterns deleted April 26, 1944.

# (e) [Deleted Apr. 26, 1944]

(f) Pattern manufacturers are hereby authorized to use the MRO symbol endorsed on their customers' orders to obtain aluminum pattern castings. Pattern manufacturers are not required to apply for an allotment of aluminum notwithstanding anything to the contrary in any CMP regulation.

(g) Foundries fill only authorized con-

trolled material orders for aluminum patterns (except as provided in paragraph (c) above,) which they may recognize by the symbol MRO and the certification described in CMP

Regulation No. 7.

(h) The foregoing direction also applies to a company which makes its own aluminum patterns. Except as provided in paragraph (c) above, every such company places authorized controlled material orders on its own pattern foundry so that the foundry may

make delivery of the patterns.
(1) Nothing in this direction shall be construed to relieve any person from complying with the provisions of Supplementary Order M-1-i which requires that only low-grade aluminum ingot (as defined in the order) be used for aluminum pattern equipment, and prohibits contamination of aluminum. Pattern foundries, and not the purchaser or user of patterns, must file Forms WPB-2530 (formerly CMP-19) and WPB-2685 (formerly CMP-24) monthly. Foundries regularly producing aluminum castings have been assigned an AM license number which must be shown on all orders for ingot. Foundries which do not have an AM license may secure ingot for patterns only by indicating on their order "MRO patterns"

This direction supersedes all previous instructions relating to the acquisition of aluminum for the manufacture of patterns.

Issued this 26th day of April 1944. WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-5938; Filed, April 26, 1944; 11:28 a. m.]

PART 3208—SCHEDULED PRODUCTS [General Scheduling Order M-293, Table 6, as Amended Apr. 26, 1944]

GENERAL INDUSTRIAL EQUIPMENT DIVISION

§ 3208.7 Table for General Industrial Equipment Division. (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293, as amended:

		Applicable forms					
Type of M-293 product	Deig- nation	1,	2	3	4		
· ·	netion	Opera- tions report	Shipping sched- ule <sup>2</sup>	Applica- tion and cutheri- zation	Calendar months frozen <sup>1</sup>		
Motors and generators, electric: Any new rotating equipment designed to transform electric energy into mechanical energy, mechanical energy into electric energy, or to transform or amplify electric energy of one type, voltage, or frequency into mother.  Fractional horsepower moters and generators: Any electric motor or generators built in a frame size less than 203 (or			4				
normal frame diameter equivalent to less than one horse- power, 1800 rpm, 60 cycles, 2 or 3 phase, open 45° C rice con- tinuous duty, sell ventilated moter). a. Non-combat, defined as all standard AC, DC or Uni-		•	-				
versal motors  b. All other types.  Excluded from (a) and (b) are:  i. Generators, magnetes and clarter motors used as internal combustion angino mounted acceptories.  ii. Power frequency changem, 62% cycles and below.  Integral horsepower metas and generators: Any electric motor or generator built in frame size 30 for normal frame allameter.		1801 1901	#3093 #3093				
equivalent to one horsepower, 1800 rpm, 60 cycles, 2 cr 3 phase, open 40° C rise continuous duty, self-ventilated motor) or larger.  e. Shipboard program items. i Up to and including 200 HP cr 150 KW. ii Over 200 HP cr 150 KW.	x	1571	#3003		7		
	X	1801 1801	#3003		, 9 5		
e. All other motors on to and including 200 HP and gen- erators up to and including 160 KW  f. All other motors over 200 HP and generators over 160		1801 1801	#2003 #2003		5 9		
Excluded from (c), (d), (c) and (f) ere:  i. Internal combustion engine mounted accomplica.  ii. Power frequency changers (C2)/2 cycles and below).  iii. Hydro-elegists generators.		,	Faces		ĭ		
iv. Steam turbing generators. v. Maring curillary eleant turbing generators. vi. Ges turbing generators vii. Steam enging generators vii. Non-moring diesel enging end natural ees enging							
generators, 700 rpm er less.  2. Electric motor control equipment, except internal combustion engine mounted eccessories.  a. Shipboard type.  b. All other sizes and types.	x	2000.03 2000.05	#2003 #2003		7 3		
Email air circuit breakers.     Types, AB, ET er cimilar, except Navy high chock type, listed in item 3b.     Navy high chock type.		2000, 04 2000, 04	2003 2003		2 7 5		
b. Navy high shock type. 4. Atrents switches and circuit breakers. 5. Panelboards, 600 volts or less, for lighting and power distribution, wall mounted type for shipbeard uso. 6. Compressors: Industrial meehings of the reciprocating type		2000.03	2003 2003		5 7		
designed to compress our or other pares, all sizes, stationary or portable compressors, dry vacuum pumps, booster compressors and circulators.  a. Stationary types up to COO HP		2000.09 2000.09	2001.09 2001.09		4 6		
b. Stationary types 260 HP and over c. Portable types having a picton displacement of to cubic feet and over, driven by an internal combustion engine, 740 rpm or more	, z	2000.09	2001.09		6		
Excluded from (0), (b) and (c) above are:  i. Gas compresors designed and constructed specifically for use as parts of air conditioning systems, food and beverage cooling systems, food freezing and preservative systems or low making systems when fabricated by manufacturers who currently produce any of the systems specified in this para-			-				
graph.  ii. Air compressors designed and constructed special- cally for use as parts of air braking systems when fabricated by manufacturers who currently pro- duca such systems.  7. Pumps: Industrial, designed to raise, circulate or otherwise							
move any liquid.  a. Reciprocating types. b. Contribugal types. c. Retary type (vane, zerew, lobe or gear) d. Finid power systems (hydraulic) Emiuded from (a), (b) and (c) are: i. Pumps specially designed and fabricated solely for		2000, 01 2000, 03 2000, 02 2000, 14	#2003 #2003 #2003 #2003		6 6 5 3		
(not primes) produced by the cime manufacturer.  ii. Pumps for uso as parts of internal combustion engines, or parts of motor vehicles of the types covered by Order L-128.			-		-		
iii. Pumps for use as parts of fire lighting equipment of the types covered by Order L-13. iv. Pumps which are form mechinery and equipment as defined in Order L-27. v. Service station type measuring and dispensing pumps.							
vi. The following pumps when designed and used solely for heating of hullding spaces condensate return pumps and hot water circulating pumps, vii. Pumps of the sanitary type farmilk or expresseding, viii. Pumps adherally used for construction contractors pumps and northly used for construction contractors for devo-							

For explanation of time during shipping schedule is frozen Para. (c) of M-283. Form WPB-3491 may be used in place of WPB-2893.

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*	Calendar months frozen					¢	•		m	ဗ		61 61	64	orized on	ution of WPB-WPB-s is re-
8	Applica- tion and authori- zation				,			•	1			ච	. 6	ıst be sut	distribitionse for 2) and ie forms obtaine
2	Shipping sched- ule	-	· -			5			3, 001. 12	3001.12		3001. 12	3001 64	which m	field office. However, the distribution of the instructions, except those for WPB– 3003 (shown in Column 2) and WPB– 3401 for the use of these forms is re- stricted: copies may be obtained from
1	Opera- tions report					5			3,000.12	2578		3002.06	3130	and those	ctions, ctions, wn in the use copies r
Dosfr-	nation		•	_								×	۱ ' اِ	be rated	field office. the instruc 3003 (show 3401 for tl stricted: c
		10. Heat Ex	a manufacturer who produces stuch equipment (for example, a heat exchanger which serves as an intercooler for a compressor when both in- tercooler and compressor are produced by the	same manufacturery, xi. Distilling plants, as covered by paragraph (b) b. Distilling plants, as known as distillation units or	Proportions, used in the conversion of sea where for brackish writer to sweet where for foed water or potable purposes.  II. Pressure vessels: Any sealed carbon steel or alloy steel vessel or shell designed to withstand internal or external pressure	<del></del>	my order find.  Excluded from (a) me:  1. Direct fired vessels, such as bolbers.  If Vessels designed to contain water under pressure for domestic supply.  Iii. Vessels for transvortation.  Iv. Vessels designed as heat explorative or enclosures.	v. Vessels designed for cooking or proparing foodstuffs.  vi. Field assembled storage vessels such as spheres and spheroids.  12. Conveying machinery and mechanical power transmission	a. All types, erecht. i. Underground mine equipment. ii. Slope conveyors. iii. Speed reduction units and unmounted gears, as		I. Main marine propulsion gears. II. Ship orgino room auxiliary equipment gears. III. Aircraft engine gears. Iv. Automotivo gears. V. Gears manufactured by a person for incorporation of the company of	o. Flexible couplings (gear type only)  13. Vertical single and twin band resaws.  a. All types (including tandem) up to 72 inches wheel	Excluding:   Combination band rip and resaws.   Combination band seroll and resaws.   Combination band seroll and resaws.   Chain type power direct timber falling saws driven by	For explanation as to the orders and deliveries which must b Form WFB-3131, see Order L-311.	For the information of manufacturers field who are required to file standard forms the (such as WPB–3000, 3001, 3003 and 3401) 1003 the forms themselves are standardized and a supply is available in any WPB strick.
4	Calendar months frozen	6161	-							9					
က	Applica- tion and authori- zation	ţ					oʻ	- <del> </del>					•		,
63	Shipping sched- ule	3001. 20 3001. 20	•			3001.13			•	#3003					
H	Opera- tions report	3000. 20 3000. 20	;		<del>,</del>	3000. 52				3000.08					
Desir	nation			•				•			<b>.</b>				
		is, blowers and exhausters: Any dovice or machine which loves, compresses or exhausts air or other gas by centrifinitionary or axial means.  A xial and propoller faus (facluding drivers).	Excluded from (a) and (b) are:   Gelling, air elreulstor, desk, wall bracket and portable window fans and pedectal type fans of a portable nature.	ii, Faus and blowers manufactured by a person solary for theorporation into other machinery or devices (including pulverizers, stokers and boliers) also manufactured by him.	in. Fropuer typo mins for use as parts of internat com- bustion engines.  iv. High pressure blowers included in Item 9 of this table.  table.  Blowers, compressors, exhausters and	acuum pumps of the rotative type designed for a pressure liferential of 124 pounds or more per square inch (laduding festo augus superchargers and scavengers and ballast nlogding blowers).	a, Contribuga UyDe, Gingle-stage, multi-stage, axial How and blast furnace).  I. Single-stage.  II. Multi-stage including blast furnace and axial flow.  III. Multi-stage including vane and liquid piston).  C. Repairs and spare parts for (a) and (b).  Excluding from (a) and (b) are:	i. Angu pressure, rovec draft datas for the uneer use of the Navy or Maritime Commission aboard ship (inclinded in Item 8 of this table).  Il Contribugal refrigeration compressors.  Il Akreratt ongine superchargers.	ist Exchangers. Any now equipment or apparatus con- string of an assembly, bundle, or nest of one or more bare framed tubes (metallic or non-metallic) or metal plates and including any shell or pressure, vessel to contain the	same, designed for the transfer or exchange of heat between wo or more fluids (liquids, gases or vapors). a. All sizes. Freduded from (a) see	A. Any equipment or apparatus which is directification of the contrasting which a flue gas passage.  If, Any equipment or apparatus which permits direct contact involving physical mixing of the fluids (other than direct contact bolier feed fluids.	III. Any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum achaust pressure.	7. Any networkings of as of another. 7. Any radiator type coolers. 7. Any unit beacter, convector, unit ventilator, unit cooler or blast coil when any such item is for space, persecting, or cooling or industrial space.	nearing of trying, vil. Any indirect water heater, commonly referred to as a storage water heater consisting of a heating element installed in a hof water storage tank for the heating and storing of hot water for any	vili. Any individual water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter of 12 induces of the coher than circular in cross section and having an inferral cross sectional area of 113 square inches or less) used for supplying hot water for any purpose.  Ix. Any heat exchanger of non-metallic construction for use in a chemical experimental isboratory.
	Design 1 2 3 4	Varye of M-293 product nation Operations of M-293 product noted the report up at the contract of the contract	tion Opera- Shipping tion and thore authori- those authori- trozen report 1 2 3 4 4	tidon doperation from the following scheduled and continued.    10. Heat Exchangers—Continued.	Life and Applications the potential of t	tion  Opera-Shipping dipplier  thoractions and months  report thin 2 3 4  Type of M-293 product  Type of M-293 pro	tions Shipping than and Applica- Calendar thorats are specified at the constructed authority from and from the constructed authority from and	tidin Opera Shipping Applica Calendar form and months report tides authority frozen months report authority frozen months frozen months report authority frozen months frozen	Type of M-223 product  10. Heat Exchanges—Continued  11. Pressure vessel. Any results de robot vessel  12. Conveying  13. Conveying  14. Vessel deligned to withsistent for more fined pressure  15. Pressure vessel. Any results de robot as part exchanges or endocutes  16. Conveying  17. Vessel deligned to withsistent pressure  18. Vessel deligned to withsistent pressure  19. Vessel deligned to withsistent pressure  19. Conveying  19. Conveying  19. Vessel deligned to robot his spheres  19. Conveying  19. Conveyin	1 2 3 4 Type of M-233 product flows and flower and flow	the control of the co	1   2   3   4   Type of M-253 product   Design	1	1   2   3   4   Type of N-253 produce   Doisign   Dois	Type of M-20 produce the parties again to the parti

the respective industry section of General Industrial Equipment Division.

Issued this 26th day of April 1944. WAR PRODUCTION BOARD, By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-5943; Filed, April 26, 1944; 11:29 a. m.]

PART 3270-CONTAINERS [Limitation Order L-232 as Amended Apr. 26, 1944]

### WOODEN SHIPPING CONTAINERS

§ 3270.56 Limitation Order L-232—(a) Definitions. For the purposes of this order:

"Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, field picking boxes, or boxes consisting of more than 50% of corrugated or solid fibre (by area).

(2) "Restricted crop" means any fruit or vegetable listed in Table II of Schedule, B.

## General Restrictions

(h) Restrictions—(1) Manufacture. sale or delivery of containers. No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) Manufacture and assembly of containers. No person shall commercially manufacture or assemble any wooden shipping container for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The re-strictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) Manufacture of container parts. No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A which. when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) Coloring. No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(5) Printing. All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any wooden shipping container covered by the several tables of Schedule A of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply to barrels, drums,

kegs, kits or pails or to paper, labels or markings which only:

(i) State the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States

Standard Container Act of 1928; or (iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand,

trade-mark or other reference to any

person, firm, partnership or corporation.

Restrictions on Packing and Shipping Commodities Other Than Restricted

(c) Restrictions — (1) Commodities for which wooden shipping containers are forbidden. No person shall commercially pack or ship in wooden shipping containers any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this table or the shipment of any listed commodity in wooden shipping containers which were in the shipper's inventory or in transit to him on the date it was included in this table, but only for a period of sixty days thereafter.

(2) Quota restriction on packing. Packers of a commodity listed in Table II of Schedule B, other than a restricted crop, are restricted in the quantity of that commodity which they may pack in wooden shipping containers in each calendar quarter to a percentage of the quantity that they packed in wooden shipping containers in the same quarter of the base period. The percentage and base period for each commodity are shown in the table.

Restrictions on Fruits and Vegetables Listed in Table II of Schedule B (hereafter called "Restricted Crops")

(d) Restrictions. (1) In the case of the restricted crops listed in Table II of Schedule B, no person shall, in any calendar year, commercially pack in wooden shipping containers a greater quantity of restricted crops than the total quantity of the designated quotas of each of the restricted crops that he packed in wooden shipping containers in 1942. After determining his quota of wooden shipping containers based on what he packed in 1942, he may use these containers to pack any of the restricted crops interchangeably.

(2) The restrictions of paragraph (d) shall not become effective until July 1, 1944 (except in the case of table and juice grapes), and the quotas for the second

half of 1944 shall be based on the second half of 1942.

(3) It is the policy of the War Production Board that each grower of a restricted crop be allowed to market in wooden shipping containers the quantity of restricted crops contemplated by the quotas. Under this policy every packer, so far as practicable, should use his permitted quantity of wooden containers to pack the restricted crops of each of the growers for whom he packs without prejudice to any of them, provided they are prepared to meet current prices and terms. If this policy is not observed voluntarily, the War Production Board may issue specific directives to named packers, and failure to comply with these directives will be deemed a violation.

(4) A packer may not pack a greater quantity of restricted crops grown by him in wooden shipping containers than the total of the designated quotas of restricted crops grown by him and packed in wooden shipping containers in 1942.

(5) If a grower, who did not do his own packing in 1942, wants to do his own packing, he must notify the War Production Board by letter stating the name of the person who packed for him in 1942 and the quantity of each restricted crop packed in wooden shipping containers during that year. Such notice must be filed within ten days before a grower begins his packing. He may then pack a quantity of restricted crops in wooden shipping containers permitted by the quotas set up in the table, based upon the quantity of his restricted crops which were packed in wooden shipping containers in 1942. The War Production Board may then reduce the quota of the packer who packed for him in 1942 where such action seems necessary to keep the total consumption of wooden shipping containers down to the levels contemplated by this order.

### **Certification**

(e) Certification for fruit and regetable containers. On and after July 1, 1944, no person shall sell or deliver any new wooden shipping containers for the shipment of fruits and vegetables without obtaining a certificate from the purchaser. The certificate may be either the one set forth in paragraph (v) of Order P-140 (if the purchaser is using a rating to buy his containers) or the standard certificate provided for in paragraph (d) of Priorities Regulation No. 7. In case the former is used, the purchaser shall add the following words to the certification:

The undersigned, purchaser, further certifles that he is familiar with the provisions of

No. 84--2

Order L-232 and that the containers which he is buying will not be used in violation of the terms of that order.

If he uses the standard certification, he shall add the words. "Reference L-232."

# Miscellaneous

Note: Paragraphs (f) to (i), formerly (d) to (g), redesignated April 26, 1944.

- (f) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.
- (g) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (h) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.
- (i) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Note: The reporting requirements of paragraph (c) (3) has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD, By J. Joseph Whelan, Recording Secretary.

SCHEDULE A-SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I-HAMPERS, BASKETS, BERRY CUPS FOR FRESH FRUITS AND VEGETABLES

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

•	
Type—(1)	Dry capacity (2)
1. Hampers	1/2, 5/4, 1 bu.
2. Round stave baskets.	½, 1 bu.
3. Splint baskets	8, 12, 16, 24, 32 ats.
4. Climax baskets	
5. Till baskets	
6. Berry cup	

- (b) Exceptions. The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not
- (1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

- (2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.
- (c) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations 2 of The Secretary of
- <sup>1</sup>U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

Agriculture issued under the United States Standard Container Act of 1928.3 "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,4 as amended.

2 45 Stat. 685; 15 U.S.C. 257.

- <sup>8</sup> U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.
- 439 Stat. 673; 15 U.S.C. 251. 445 Stat. 930; 15 U.S.C. 251.

TABLE II-WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES NOTE: Items 6, 24, 36, 40, 44 amended Apr. 26, 1944.

¹The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

¹The inside depth of this box may be increased up to 7½" by the addition of cleats of any thickness or by the use of a solid end.

¹The inside depth of this box may be increased up to 5½" by the addition of cleats of any thickness or by the use of a solid end.

³Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (c) of the text of Table II.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. Inside width' and 'Inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. 'Inside length' of the container shall be its outside length minus the com-bined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to \%" under or up to \%" over the specified inside lengths is allowed. A tolerance of up to \%", plus or minus, in the specified inside depths and inside width is allowed for shrinkage

and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of Table II, one or more cleats of ¼", %", ½", 5%", 1½6", or ¾" thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) Exceptions. (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:

(i) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before March 4, 1943; provided, such manufacture or assembly is completed by August 31, 1943:

(ii) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943; provided, such assembly is completed by August 31, 1943;

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, or the Department of Agriculture (for Lend-Lease purposes). provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies; provided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7;

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company	
D-	
By	
Title	Date"

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III-WOODEN SHIPPING CONTAINEDS FOR DRESSED CHICKENS & TURKEYS

Chicken boxes (approximate weight)	Inside length (inches)	inside vidth (inches)	Incide depth (inches)
101, 26 lbs,	16 19 20 21 21 21	14 1434 1542 1632 17 18	744 744 774 814 614
111. Small	32 33 30	24 23 19 22	634 734 8 8 832

(a), Exceptions. The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

(1) The manufacture or assembly of wooden chicken and turkey boxes by any percon from wooden parts cut to size by him before July 30, 1943, provided such manufacture or assembly is completed by September 30, 1943; (2) The assembly of wooden chicken and

turkey boxes by any person from cut-to-size wooden parts bought and received by him before August 15, 1943, provided such assembly is completed by September 30, 1943.

### SCHEDULE B-RESTRICTIONS IN USE OF WOODER SHIPPING CONTAINERS

TABLE I-COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINEES

(a) The restrictions of this Table I shall (a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17) located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments in wooden barrels, kegs, drums, lits or palls, except in the case of soda ash, bicarbonate of soda, and salt, (5) shipments bicarbonate of soda, and salt, (5) shipments of the fresh vegetables listed until after January 1, 19<del>14</del>.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Scda ash and blearbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 25, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commedities.

# Building Materials

- 1. Asphalt roofing (rolls or shingles), siding and tiles
- 2. Brick, except fire and glass
- 3. Cement b
- 4. Cork (except pipe covering and slabs)
- 5. Mineral wool, except clabs, blocks, batto and insulation (formed, metal encaced)
- Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
- 7. Roof coatings and cements b
- 8. Steel each and windows

Foods (Fresh Vegetables Are Listed as Items 38-43 and Animal Foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers

10. Baking powder-11. Candy or confectionery

12. Canned and glassed foods or food products

13. Cereals, prepared

14. Chocolate

15. Cocca 16. Coffee 17. Condiments

18. Corn starch b

19. Descert powders

20. Flours, prepared products

21 Food ceasoning, coloring and related products b

22. Fruit and vegetable juices b

23. Gelatins b

24. Horseradish products b

25. Ice cream cones 26. Macaroni b

27. Mayonnaise and salad dressing b

28. Nocdles b

29. Nuts, edible

30. Peanut butter and peanuts

31. Popcorn

32. Potato chips

33. Rice 34. Salt

35. Spaghetti •

36. Spices (except mustard flour, ground cloves, ground mace and ground nutmeg)

37. Tea'

### Fresh Vegetables

38. Cabbage

39. Corn, green 40. Onlons, dry

41. Potatoes, white

42. Rutabagas

43. Turnips, root

### - Glass Products

44. Jars, home canning

45. Ornaments and decorations

### Hardware

46. Buckets and pails (wood or metal)

47. Handles, wooden, for hand tools

48. Wash tubs, wood or metal

# Horticultural Items

49. Flowers, flower seeds, and flower plants

50. Shrubs, ornamental or cuttings

51. Trees, ornamental or cuttings

# Leather Products

52. Belting butts

53. Bridles

54. Harnesses

55. Herce cellars 58. Novelties

57. Pocketbooks

53. Saddles 59. Suitcases

60. Traveling bage-all kinds

61. Trunks

62. Whips and crops

# Paper Products

63. Advertising displays—counter, window or floor

64. Albums

65. Announcements

66. Calendars

67. Catalogues 68. Greeting cards 69. Illustrated post.cards

70. Magazines, including house organs

4470	FEDE
71. Novelties	-
72. Posters	
73. Punch boards	
Textiles (Ex	cept Clothing)
74. Awnings	*
75. Blankets 76. Comforters	-
77. Mattresses	
78. Rope, string and	wine
79. Tents	llaneous
80. Adhesives or ceme	
81. Appliances, elect	ric, domestic (except tors, washing machines
	tors, washing machines
and mangles) 82. Art supplies	
83. Ash trays	•
84. Baskets	
85. Bed springs	ated, malt or alcoholic
and concentrat	es, except in multiple
trip returnable	
87. Bicarbonate of soc 88. Brushes and broo	
89. [Deleted Jan. 3, 19	94 <del>4</del> 1
90. Candles, except for	or religious purposes
91. Ceramics, orname	
92. Charcoal, except : 93. Cigars and cigare	ttes
94. Combs	
95. Cosmetics	
96. Dentifrices 97. Depilatories	
	arations, household
98. Dry cleaning prep 99. Electric light bulk	os •
100. Fertilizers 101. Food, animal an	d net
102. [Deleted Jan. 3,	1944] .
	1944] . nd dyes, shampoos and
tonics 104. Hats, millinery	-
105. Heels and soles, i	lootwear
	i fabric-except wire im-
bedded	
107. Jewelry 108. Mops	
109. Ornaments, mad	le of glass, plastic, pot-
tery, china, i	metal, wood, paper or
leather 110. Paint <sup>b</sup>	-
111. Peat moss	
112. Pens and pencil	5
113. Perfumes and to 114. Polishes b	lietries
115. Scouring and cl	eaning compounds and
detergents (d	oes not include liquid
	als shipped in carboys y of 5 gallons or more).
116. Shoes	y of b ganons of more).
117. Soap <sup>b</sup>	•
118. Soda ash	
119. Sporting goods 120. Starch b	
121. Tobacco b 122. Toys and games	
122. Toys and games	I
123. Varnishes <sup>b</sup> 124. Waxes <sup>b</sup>	
TABLE II—COMMODITIE	S WHOSE PACKING AND
	S WHOSE PACKING AND SHIPPING CONTAINERS IS
RESTRICTED	
Fruits an	d Vegetables
	Quota based on 1942
Commodity:	calendar year (percent)
1. Cantaloupes and	melons80

	•			
	Quota	based	on 1	942
Commodity:	calendar	year	(perce	ent)
1. Cantaloupes and	melons_			80
2. Carrots				100
3. Cauliflower				80
4. Celery				80
5. Cucumbers				50
6. Grapes, juice 1				50
7. Grapes, table: 2				
a. Thompson _				100
b. Muscat		, 		100
c. Sultana				100
d. Zante Curr	ant			100
e. All other va	arieties			110
8. Lettuce				80
9. Radishes				50

### Miscellaneous Products

Note: Items 16a and 16b added Apr. 1944.	26,
10. Animal proprietary drug remedies	65
11. Books	80
12. Carpets	. 80
13. China and glassware (except vitrified	
for commercial use)	80
for commercial use)14. Clothing, except shoes	80
15. Glass tableware and glass kitchen	00
	80
articles  16. Hooks and eyes, slide and snap fas-	OU
10. HOOKS and eyes, since and shap ras-	
teners, buckles, buttons, and mis-	
cellaneous metal apparel bindings_	80
16a. Leather, restricted to goat, kid,	
cabretta and kangaroo and limited	
to processed hides, skins and splits	
which have not been incorporated	
into any product	70
16b. Leather, all other, limited to proc-	
<ul> <li>essed hides, skins and splits which</li> </ul>	
have not been incorporated into	
any product	50
17. Linoleum	80
18. Musical instruments	. 80
19. Pottery products, household (except	
ornamental)	80
20. Printing and publishing products,	-
except those listed elsewhere	80
21. Rugs	80
22. Tile (floor, wall, facing, glazed or	
unglazed)	80
<u> </u>	
NOTE 1: Juice grapes are grapes of the	rol-

NOTE 1: Juice grapes are grapes of the following varieties:

Alicante Bouschet	Malvoisie
Alicante Ganzin	Mataro.
Aramon	Mission
Barbera	Mondeuse
Beclan	Mourastel
Carbernet Sauvignon	Nebbiola
Carignane	Petit Bouschet
Charbono	Petite Sirah
Crabb's Black Burgundy	Portuguese Blue
Friesa	Salvador
Gamay	St. Macaire
Grand Noir	Tannat
Grenache	Teoulier
Grignolino	Trousseau
Lenoir	Valdepenas
Limberger	Zinfandel
Malbec	

Note 2: Notwithstanding the provisions of paragraph (d) (1) concerning interchangeability of quotas in the case of Thompson, Muscat, Sultana and Zante Currant variety of table grapes, the quota is limited to each of these varieties, and in the event that the quantity of each of these varieties is insufficient to fill the quota, no other variety of grape or other restricted crop may be packed as part of that quota.

Note 3: The base period and quota period quantities of a commodity shall be determined as follows (the same measure shall be used in both the base period and quota period quantities for any commodity: (a) for miscellaneous products, by weight, volume or count of the commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required; (b) for fruits and vegetables, by volume only, or by the board footage content of the wooden shipping containers required.

Note 4: Exceptions. (i) No person shall be bound by quota restrictions contained in paragraphs (c) (2) or (d) (1) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 30,000 pounds of that commodity, whichever is the lesser.

(ii) The provision with respect to a grower reporting his intention of becoming a packer contained in paragraph (d) (5) shall not apply where less than a carload or 30,000 pounds of a commodity, whichever is the lesser, is involved in any calendar year.

[Notes 5 and 6 deleted Apr. 26, 1944]

[F. R. Doc. 44-5936; Filed, April 26, 1944; 11:28 a. m.]

# PART 3270-CONTAINERS

[Conservation Order M-221, as Amended Apr. 26, 1944]

### TEXTILE BAGS

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of textile bags for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.23 Conservation Order M-221—(a) Definitions. For the purposes of this order:

(1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton and twisted paper yarns, but excepting shopping bags, carry-out bags, bale covers, textile wrappings and combination textile-paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.
(3) "Used textile bag" means any textile bag means any tex

(3) "Used textile bag" means any textile bag when the bag or the fabric previously has been used one or more times.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling, or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) A person shall be deemed a "com-

(7) A person shall be deemed a "commercial emptier" at such times when in any of the three immediately preceding calendar months he acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the continental United States (the 48 states and the District of Columbia).

(9) "Burlap laminated bag" means any bag made of burlap laminated to paper, with any adhesive or water-proofing substance.

# General Restrictions for All Persons

(b) Joint responsibility. No person shall deliver textile bags to any other person if he has reason to believe that the other person is not entitled to accept them under the provisions of this order or that they will be used for any purpose prohibited by this order.

(c) Sampling bag-contents. No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

(d) Sand bags. No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war haz-

(e) Size-changing. No dealer, user, or commercial emptier shall change the size of any burlap textile bag while it has a commercial use as a bag, with or without mending.

(f) Processing of used bags for sale. No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further re-use.

(g) Sale of used raw sugar bags. No dealer, user or commercial emptier shall sell or deliver any No. 1 jute (gunny) sugar bag suitable for packing Puerto Rican or Cuban raw sugar to any person for any use other than packing Puerto Rican or Cuban raw sugar. For the purposes of this paragraph, the jute bags referred to shall be limited to bags which have been used for packing raw sugar and which have no holes at all or have no more than seven trier holes, all of which have been patched or mended.

(h) Export of empty bags. Unless specifically authorized by the War Production Board, no person shall export any empty new or used burlap textile bag or any empty new or used open mesh textile bag. The requirement for such authorization is in addition to, and not in place of, any applicable export licensing requirements of the Office of Economic Warfare. Application for authorization for such export shall be made by letter or telegram to the War Production Board stating the pertinent facts, including (1) the destination of the bags (2) the source from which the bags have been or are to be acquired, and (3) the quantity, size and material of the bags. Such applications concerning exports which also require licensing by the Office of Economic Warfare should be submitted through that agency to the War Production Board. The restriction of this paragraph shall not apply to:

(1) Foreign re-users. The export of empty used bags which previously contained any of the following products and which, in accordance with established practice of the industry involved, are being exported in the expectation that they will be re-used by foreign suppliers of the same product for further packing of that product: sugar, asbestos, or any other product designated by the War Production Board because it so impregnates the bag material as to make the bag unsuitable for packing any other commodity without excessive cleaning.

(2) Transshipment. Completing the transshipment of textile bags which are in transit from a point outside the continental United States to another such point and which have been landed in the continental United States (in a free zone or free port or in bond) pending such transshipment.

(3) Exports to Canada. The export of empty new or used burlap textile bags or new or used open mesh textile bags to Canada.

Additional Restrictions for Bag Makers

(i) Overstitching. No bag maker shall overstitch the raw edge or selvage edge of any new textile bag except new wool bags.

(j) Eyelets, grommets. No bag maker shall manufacture any new textile bags with metal eyelets or metal grommets.

(k) Bag sizes for certain commodities-(1) Sizes permitted. No bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Bag designed for packing commodity specified	Beg size (not weight capac- ity unless otherwise spec- ified)
a)	(2)
Beans Cement (standard port- land).	2-5-10-22-50-100 lbs. 94 lbs.
Flour (milled wheat) 1	2-5-10-25-50-160 fbs. 2-5-10-25-50-160 fbs. 2-5-10-25-50-160 fbs. (stress
Potatoes <sup>2</sup>	weight). 2-5-10-16-25-60-1001bs. 2-5-10-25-50-1001bs.
mill). Rico	2-3-5-10-15-25-20-100 lbs. 2-4-10-25-50-100 lbs.
Seeds	2-5-10-25-50-100 lbs., 1, 2 bn.;
Eugar (refined cane, beet)	2-5-10-25-30-100 lbs. 2-5-10-25-30-100 lbs.

1 "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and blenched, bromated, carriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

2 Additional sizes are permitted as follows:
3 bu, for bybrid seed corn; 3 bu, for cotton seed.

\*These restrictions do not apply to open mesh bags used for packing pointoes.

(2) Exception for export by bag maker. The size restrictions of paragraph (k) (1) above shall not apply to the manufacture of bags to be exported, empty, by the bag maker. However, the export-authorization requirement of paragraph (h) above shall apply if the bags are made of burlap.

(3) Exception for export by user. The size restrictions of paragraph (k) (1) above shall not apply to the manufacture of bags ordered by any person for packaging any listed commodity to be exported by him, provided the bag maker receives from such person a written certification as provided for in Exhibit A attached to this order. However, the export-authorization requirement of paragraph (h) above shall apply if the bags are made of burlap.

### Additional Restrictions for Commercial **Emptiers**

(1) Emptying bags. No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(m) Time-limit on holding empty bags. Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal number of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) Seasonal re-use. If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restriction of paragraph (n) below.

(2) Carload accumulation. If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

### Additional Restrictions for Users

(n) Inventory restriction. No user shall accept delivery of any empty new or used textile bags at a time when, or when by virtue of the delivery, his inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal product (whether or not produced by him), such inventory shall not exceed the aggregate number of new or used empty textile bags which will be required to carry on his business during the next 60 days.

(o) Quota restriction on acceptances of burlap bags. (1) During 1943, no user shall accept delivery of more than his quota of new burlap textile bags for packing the products below. His quota shall be the larger of the following amounts: (i) 500 such bags for all the products or (ii), for each class of product listed below, the specified percentage of the number of such bags he accepted during the calendar year 1941 for packing that class:

	Quota
	percentage (2)
Class of product (1):	(Percent)
	100
Stearic acid (cakes or slabs)	100
Salt	100
Refined sugar (restricted to	o covers or
balers for smaller packag	
approximately 100 pounds	) 160

The above restriction does not apply to bags made of "scrim" (burlap weighing less than 7 ounces per yard-40" width) nor to bags for packing mohair, wool, or wool products. The number of any such bags accepted by any user during 1941 shall not be included in computing any quota above.

(2) The provisions of subparagraph (1) shall apply to the calendar year 1944 and succeeding calendar years except that the quota restriction will be based on the number of bags accepted during either the calendar year 1941 or 1942, whichever is the greater, and the number of "scrim" bags or bags for packing mohair, wool or wool products accepted during 1941 or 1942, whichever year is taken as the base period, shall not be included in computing the quota.

(3) During 1944 and each succeeding calendar year each person packing wheat or small grains in the States of California, Idaho, Montana, Oregon, Washington or Arizona may accept delivery of not more thn 100% of the number of new Calcutta Wheat bags that he used during the calendar year 1940 for packing those products. These may only be used for packing wheat or small grains in those states. However, if he used less than 500 such bags during 1940 he may accept delivery of 500 such bags for packing those products during 1944.

(p) Products permitted for burlap bags. No user shall use any new textile bag made of burlap for packing any products other than the following:

Mohair; wool; wool products; petroleum waxes; stearic acid (cakes or slabs); agricultural products except refined cane or beet sugar (not in balers or covers for smaller packages totalling approximately 100 pounds), corn sugar refined beyond the crude or chip stage, fertilizer tankage, or fertilizer.

(q) Products permitted for cotton bags. No user shall use any new textile bags made of cotton for packing any products other than the following:

Agricultural products; cement; chemicals; core sand; currency, coin, or securities; fertilizer; glues; gypsum; malt; meats; metal abrasives; metal parts; pastes; plaster; sand; shellfish; tire chains; or such other products as may be authorized by the War Production Board, pursuant to application on Form WPB-1319 (PD-556).

"Agricultural products" includes, but is not limited to, beans; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(r) Mohair bags. No user shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(s) Burlap laminated bags. No user shall use any new burlap laminated bag for packing organic fertilizer. The restriction shall not apply to bags ordered before January 12, 1944.

(t) Use of wool bags. No user shall use any wool bag except as provided below. A "wool bag" is any new or used textile bag, made of burlap, between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: grease wools, scoured wools, noils, wool wastes or mohair.

(1) General. Wool bags shall be used only for packing or wrapping wool or wool products and only in accordance with the further restrictions of paragraphs (s) (2), (3), and (4) below.

(2) Heavy #1 wool bags. A "heavy #1 wool bag" is a new or used wool bag made of 12-ounce or heavier burlap and

capable of being packed of repacked to its intended capacity with any of the types of wool listed below in this subparagraph. Heavy #1 wool bags shall be used only for packing any of the following types of wool:

Graded wools; Territory, California, or Texas grease wools or mohair.

(3) Light #1 wool bags. A "light #1 wool bag" is a new wool bag made of burlap lighter than 12-ounce weight. Light #1 wool bags shall be used only for packing any of the following types of wool:

Territory, California, or Texas grease or scoured wools or mohair; carbonized wool; carbonized noils; carbonized card waste; fine white garnetts; fine white laps; cut wool tops; broken wool tops; wool backings; rayon; synthetic fibres.

(4) #2 Wool bags. A "#2 wool bag" is any used wool bag other than a heavy #1 wool bag. #2 wool bags shall be used only for packing any of the following types of wool:

Grease wools; fleece wools; pulled wools; scoured wools or noils; carbonized or uncarbonized wool wastes.

### General Exceptions

(u) Bags for certain Government agencies. The restrictions of this order shall not apply (1) to the manufacture of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the government agencies listed below or (2) to the purchase, acceptance, use, or export of textile bags by those agencies: the Army, Navy, Maritime Commission, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

# Miscellaneous Provisions

- (v) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref.: M-221.
- (w) Appeals. Appeals from the quota restrictions of paragraph (o) above shall be made by application in triplicate on Form WPB-2907 (PD-188-c). Appeals from any other restriction of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(x) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is

guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority controland may be deprived of priorities assistance.

Note: The reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

#### Ехниит А

The certification provided for in paragraph (k) (3) shall be substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

"The bags ordered herewith are for packaging commodities for export by the undersigned and therefore need not correspond with the sizes specified in Order M-221 for the commodities concerned.

Company By Title Title

Any such certification shall constitute a representation to the War Production Board and to the bag manufacturer. The bag manufacturer shall be entitled to rely thereon unless he has reason to believe it is not true.

[F. R. Doc. 44-5941; Filed, April 26, 1944; 11:29 a.m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-217, Interpretation 5]

SHOES MANUFACTURED FOR DYEING BY RETAILERS OR CONSUMERS

The following interpretation is issued with respect to General Conservation Order M-217:

Paragraph (c) (4) restricts the manufacture of footwear of more than one color. Where a manufacturer produces a line of footwear designed especially for taking dye on the tip, foxing, saddle or other portions, so that it can be converted into a two-tone shoe (such as a spectator or saddle oxford type), and he has reason to believe that it will be converted by retailers or consumers, he is putting material into process for the manufacture of footwear of more than one color. This is prohibited by the paragraph.

Issued this 26th day of April 1944.

War Production Board, By J. Joseph Whelan, 'Recording Secretary.

[F. R. Doc. 44-5940; Filed, April 26, 1944; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS 1 [Limitation Order L-136, as Amended Apr. 26, 1944]

### CHURCH GOODS

§ 3291.250 Limitation Order L-136— (a) Definitions. For the purposes of this Order:

<sup>&</sup>lt;sup>1</sup> Formerly Part 1247, § 1247.1.

(1) "Church goods" means any article of religious devotion or significance and any article imbued with patterns of religious significance.

(2) "Class A product" means any church goods essential and necessary for the purpose of conducting religious services or of such character as to have def-

inite devotional significance.

(3) "Class B product" means any church goods not recognized by the churches as being articles ordinarily used for religious devotion, including but not limited to, articles designed for decorative purposes, religious jewelry or articles imbued with patterns of religious significance designed to be worn on or about the person.

(4) "Restricted materials" means aluminum, cadmium, chromium, copper and copper base alloys, lead, phenolic plastics, methyl methacrylate plastics, magnesium, mercury, nickel, rhodium, rubber, tin and tinplate, zinc, and alloy steel (as defined in Conservation Order M-

21-a, as amended).

- (5) "Iron" and "steel" means all iron and steel except iron and steel contained in joining hardware.
- (6) "Put into process" means for a person to perform the first manufacturing or assembly operation on material or parts received by him.
- (7) "Manufacturer" means any person who is engaged in the production of church goods or parts therefor.
- (b) General restrictions. (1) No manufacturer shall put any restricted materials into process in the manufacture or assembly of church goods, parts or repair parts for church goods, except the following materials for Class A products and parts for those products:
  - (i) Lead.
- (ii) Tin for soldering if not prohibited by Order M-43.
- (iii) Tin Plate, if not prohibited by Order M-21-e.
  - (iv) Zinc, as permitted by M-11-b.
- (v) Chromium for direct plating on iron and steel.
- (2) No manufacturer shall put into process, in any calendar quarter, in the manufacture or assembly of Class A products or parts (including repair parts) for those products, more iron and steel by weight than 12½% of the aggregate weight of iron and steel and other metals except gold and silver, put into process by him in the manufacture of those products and parts in 1940.
- (3) No manufacturer shall put into process any iron and steel in the manufacture of any Class B products or parts for those products.
- (c) Certain Class A products exempted from quota restrictions. The quota restrictions contained in paragraph (b) (2) do not apply to the manufacture or assembly of candlewick holders and bases and tops for altar or table sanctuary lights.

(d) Applicability of other orders and regulations. This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of church goods to a greater extent than does this order, the other order shall govern unless it states otherwise.

(e) [Deleted Apr. 26, 1944] (f) [Deleted Apr. 26, 1944]

(g) [Deleted Apr. 26, 1944]

(h) [Deleted Apr. 26, 1944]

(i) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) Appeal. Any appeal from the provisions of this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(k) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-136,

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-5934; Filed, April 26, 1944; 11:29 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS
AND EQUIPMENT

[Limitation Order L-158, Interpretation 3]

REPLACEMENT PARTS FOR ARMY DELIVERED FROM INVENTORY

The following interpretation is issued with respect to L-158:

Paragraph (m) (1) of the order (which was paragraph (L) (1) before the amendment of April 12, 1944) permits delivery on certain Army orders of replacement parts "in distributors' inventory available for immediate delivery". This means that the parts must be in inventory at the time the order is received from the Army. It is not sufficient that they are in inventory immediately before delivery.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-5935; Filed, April 26, 1944; 11:28 a. m.]

PART 3293—CHELICALS

[Conservation Order M-374 as Amended Apr. 26, 1944]

### BEVERAGE CANE SPIRITS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of industrial alcohol and of sugar, molasses, and grain, and facilities for the production of industrial alcohol, for defense, for private account and for export. The use of such raw materials as sugar, molasses and grain is necessary to the production of industrial alcohol for the manufacture of synthetic rubber and munitions. It is therefore deemed necessary and appropriate in the public interest and to promote the national defense, to allocate facilities for the production of beverage cane spirits (as defined in this order), and to control the importation of beverage cane spirits so as to prevent further uncontrolled diversion of sugar and molasses to the production of these spirits:

§ 3293.616 Conservation Order M-374—(a) Definitions, (1) "Beverage cane spirits" means ethyl alcohol of 50 proof or higher made from molasses, sugar, sugar cane or sugar cane juice, and produced for beverage purposes or tax paid for beverage purposes. The term includes any solution, compound or mixture containing ethyl alcohol of 50 proof or higher, such as, for example, rum, cordials or gin.

(2) "Producer" means any person engaged in the production of beverage cane spirits.

- (3) "Import" means to transport in any manner into the continental United States or into Puerto Rico, the Virgin Islands of the United States, or the territories of Hawaii and Alaska, from any foreign country, or from any territory or possession of the United States other than those mentioned above. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for trans-shipment to Canada, Mexico or any other foreign country.
- (4) Beverage cane spirits shall be deemed "in transit" if it is afloat, if an on-board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.
- (b) Restrictions on production of beverage cane spirits. On and after March 15, 1944, no person shall produce beverage cane spirits except as specifically authorized by the War Production Board. The provisions of this paragraph shall be applicable to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(c) Restrictions on imports of beverage cane spirits. On and after March 15, 1944, no person shall import, attempt to import, purchase for import, or make any contract or other arrangement for the importing of any beverage cane spirits without first having obtained authorization to do so from the War Production Board. This paragraph applies to the importation of beverage cane spirits regardless of the existence on March 15, 1944, or thereafter, of any contract or other arrangement for importation.

(d) Applications for authorization to produce or import. Any person requiring authorization to produce or import beverage cane spirits may apply by letter, in triplicate, to the War Production Board, stating the amount, by calendar quarter, of beverage cane spirits applicant desires to produce or import. Applicant must also state the amount of beverage cane spirits he has produced or imported, by calendar quarters, during the years 1940, 1941, 1942, 1943 and 1944. All quantities should be expressed interms of proof gallons. It will be the policy of the War Production Board to permit production or importation of beverage cane spirits to the extent consistent with the fulfillment of requirements of sugar, molasses and industrial alcohol for the defense of the United States.

(e) Exceptions. Paragraphs(c) and(d) of this order do not apply:

(1) To beverage cane spirits which, on or before March 15, 1944, were in transit to a point within the continental United States; or

States; or

(2) To beverage cane spirits consigned as gifts or as samples, or for use as samples, or imported for personal use, where the quantity of each consignment or shipment is not more than two proof gallons. No person shall split up a single order of beverage cane spirits into smaller orders for the purpose of coming within this exception.

(3) To shipments of beverage cane spirits in bond into the continental United States for trans-shipment to Canada, Mexico or any other foreign country.

(4) To any bank or other person who participates, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after March 15, 1944 of beverage cane spirits, provided such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (d), or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in this paragraph (e).

(f) Special directives. The War Production Board may from time to time issue special directives to producers concerning the kind of raw materials which may be used for the production of beverage cane spirits. This paragraph applies only to the continental United States, Puerto Rico, the Virgin Islands of the United States and the territories of Hawaii and Alaska.

(g) Applicability of regulations. This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) Reports. No beverage cane spirits, which are imported after March 15, 1944, shall be entered through the United States Bureau of Customs for any purpose (other than pursuant to paragraph (e) (2) of this order) whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry a certificate in duplicate, stating the following information: (1) Name of importer; (2) Date of bill of lading (this is only necessary if the beverage cane spirits were in transit on or before March 15, 1944); (3) Date and number of importer's WPB authorization; (4) Quantity of beverage cane spirits covered by the entry; (5) Port of entry: (6) Port of origin of shipment. The certificate shall be signed manually by a duly authorized official of the importer or as provided by Priorities Regulation No. 7. The standard form of certification provided in Priorities Regulation No. 7 may not be used instead of the certificate described above. The filing of such certificate a second time shall not be required upon any subsequent entry of the same shipment of beverage cane spirits through the United States Bureau of Customs for any purpose; nor shall the filing of such certificate be required upon the withdrawal of any beverage cane spirits from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of the certificate shall be promptly transmitted by the Collector of Customs to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

(i) Bureau of the Budget Approval. The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) Communications. All communications concerning this order shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-374.

This amended order shall become effective May 5, 1944.

Issued this 26th day of April 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-5942; Filed, April 26, 1944; 11:29 a. m.]

Part 3294—Iron and Steel Production [Order M-21-1, as Amended Apr. 26, 1944]

MALLEABLE IRON CASTINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of malleable iron castings for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense;

§ 3294.113 Order M-21-i—(a) Inventory limitations. No person may accept delivery of any malleable iron castings if his inventory of such castings will after acceptance exceed what he reasonably expects to use in his authorized operations during the next 45 days. No person may deliver malleable iron castings if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45-day limitation.

(b) Exception. This order shall not apply to the delivery of any mallcable iron castings produced before March 22, 1944, to a delivery of less than 2000 pounds from any one pattern or mold which would raise the inventory of the person accepting delivery from less than a forty-five day supply to an inventory in excess thereof, or to a minimum production run as explained in Interpretation No. 7 to Priorities Regulation No. 1.

(c) Appeals. Any producer or purchaser of malleable iron castings who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(d) Communications. All appeals and other communications concerning this order should be addressed to Redistribution Division, War Production Board, Washington 25, D. C., Ref: M-21-i.

Issued this 26th day of April 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44—5939; Flied, April 26, 1944; 11:28 a. m.]

Chapter XI-Office of Price Administra-

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,1 Amdt. 12]

### SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Ration Order 3 is amended in the following respect:

Section 1407.163 (a) is amended by deleting the last sentence and inserting in place thereof the following:

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>19</sup> F.R. 1433, 1534, 233, 2826, 2828, 3031, 3513, 3579, 3847, 3944.

The Board may not pass upon the petition but must forward it, together with all information received therewith, to the District Office. The Board may attach its recommendation as to the action to be taken. Where the petitioner wishes to use sugar for experimental, educational, or testing purposes, the District Office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the District Office shall send the file to the Washington Office for decision or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective April 29, 1944.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 662, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 8, 8 F.R. 7093)

Issued this 25th day of April 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-5904; Filed, April 25, 1944; 4:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,1 Amdt. 27]

### PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

The last sentence of section 12.4 (c) is deleted and the following substituted therefor:

In cases in which the applicant wishes to make an industrial use of processed foods for experimental, educational, or testing purposes, the district office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the district office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective April 29, 1944.

No. 84---3

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 25th day of April 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-5905; Filed, April 25, 1944; 4:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16.1 Amdt. 130]

## MEAT, PATS, PISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The last sentence of section 13.3 (c) is deleted and the following substituted therefor:

In cases in which the applicant wishes to make an industrial use of foods covered by this order for experimental, educational, or testing purposes, the district office may permit the applicant to register (on OPA Form R-1200) and grant him an allotment if it finds it in the public interest to do so. In all other cases, the district office must forward the entire file to the Washington Office, for decision, or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective April 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471)

Issued this 25th day of April 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-5906; Filed, April 25, 1944; 4:12 p. m.]

PART 1499—COMMODITIES AND SERVICES [Rev. SR 11 to GMPR, Amdt. 46]

LEASING OF TRUCKS BETWEEN CARRIERS

### Correction

In F.R. Doc. 44-5318, appearing on page 4030 of the issue for Saturday, April 15, 1944, the second paragraph should read as follows: "A new subparagraph (142) is added to § 1499.46 (b) to read as follows:"

PART 1401—SYNTHETIC TEXTILE PRODUCTS
[2d Rev. MPR 339, Amdt. 2]

### WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 339 is amended in the following respects:

Section 2 (b) (3) is redesignated section 2 (b) (4) and a new section 2 (b) (3) is added to read as follows:

(3) Any establishment which itself manufactures part of its hosiery and which otherwise meets the requirements of subdivisions (i) through (iv) of section 2 (b) (1) may qualify to make sales at wholesale of such hosiery as it does not itself manufacture, *Provided*, That:

(i) It has continuously since January 1, 1942, in its sales of women's full length hosiery, represented itself and been known primarily as a wholesaler and

(ii) In its sales and deliveries of women's full length hosiery, it has continuously since January 1, 1942, maintained the identity of hosiery of its own manufacture from that which it purchases for re-sale.

This amendment shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Tssued this 25th day of April 1944.

James F. Beownlee,

Acting Administrator.

[F. R. Doc. 44-5899; Filed, April 25, 1944; 11:44 a. m.]

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>&</sup>lt;sup>1</sup>9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791.

<sup>&</sup>lt;sup>1</sup>8 FR. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16100, 16161, 16260, 16263, 16424, 16527, 16006, 16695, 16739, 16797, 16855, 17326; 9 FR. 104, 106, 220, 403, 677, 695, 849, 1054, 1632, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568.

<sup>19</sup> P.R. 206, 4024.

PART 1382-HARDWOOD LUMBER [MPR 432,1 Amdt. 8]

# NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 432 is amended in the following respects:

- 1. In section 7, a new paragraph (c) is added, to read as follows:
- (c) Applications for adjustment. The Price Administrator may by order adjust the maximum prices established under this regulation for any seller of maple, birch and beech flooring subject to this regulation who shows that these prices will not permit him to cover the total costs of his maple, birch and beech flooring operations.

Applications under this section must be filed before June 1, 1944, and must be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

All applications must contain:

- (1) Profit and loss statements, in the detail normally prepared by the applicant, covering the company's entire operations for the years 1941, 1942, and 1943. Companies which have previously filed O. P A. forms "A" and "B" for the above periods need not file additional financial statements;
- (2) Operating statements for maple, birch, and beech flooring operations only, for the same periods, and, if available, for the last three months of 1943.
- (3) A tabulation showing, for the last six months of 1943, the production of maple, birch and beech flooring and each item within each grade.

Companies which have previously submitted any of the above-required data may omit such items from the data submitted with their applications.

2. Article IV is amended in its entirety, to read as follows:

# ARTICLE IV-PRICE TABLES

The maximum prices, f. o. b. mill, for maple, birch, and beech flooring, according to the region in which produced, are as follows:

Southern, South Central, and Appalachian Hardwood Regions.—Established in Maximum Price Regulation No. 458.

Northern Hardwood Region .- Tables 1 to 6, inclusive, of this regulation.

All other areas.-Tables 7 to 12, inclusive, of this regulation.

#### NORTHERN HARDWOOD REGION

TABLE I-MAPLE FLOORING, TONGUED AND GROOVED, AND END MATCHED

Thickness, width and grade	Lengths	Maximum price per M'
<sup>25</sup> 62 x 234" First	2-51/2	\$103.00 96.50 78.00
Second	11½-16′ 11¼-5½′	97.50 92.00 70.50
Second and better Third	11/2-16'	100.00 80.50 82.50
Third and better	12-16'	94.00
25%2 x 11/2"	(2-16)	88.00
First	{2-16' {2-5½' 7-21''	81.00 56.50
SecondThird	11½-16′ 17-21″ 1-16′	71.00 51.00 61.50
<sup>25</sup> 52 x 2"		92.00
First	2-16'  2-5½'  7-21''  1½-16'  1½-5½'  7-21''	84.50 62.50
Second	11½-16′ 11½-51½′	86.00 80.50 59.00
Third	1-16'	72.50
25%2 x 334"	(2-16'	99.00
First	[2-16'  7-21"	74.50 94.00
Second and better	(11/4-16' (7-21'' 11/4-6'	65.00 96.50
Third and better	1-16'1-16'	82.00 91.00
3362 x 234" First	2-16' (1½-16' (3-16' 1½-16' 1-16' 1-16'	107. 50 102. 00 105. 50 104. 50 82. 00 99. 50
33/2 x 11/2" FirstSecondThird	2-16' 1½-16' 1-16'	95. 00 73. 00 57. 00
3342 x 2" First	2-16' 1½-16' 1-16'	99.00 93.00 78.00
3762 x 334" First	2-16'	107.50 100.00 104.00 84.00 98.00

<sup>&</sup>lt;sup>2</sup> For description of Southern Hardwood region, see RMPR 97. For description of South Central Hardwood region, see MPR For description of Appalachian Hardwood region, see MPR 146. For description of Northern Hardwood region, see MPR 223.

TARLE 1-MAPLE FLOORING, TONGUED AND GROOVED

TABLE 1-MAPLE FLOO AND END MA	RING, TONGUED AND GR TCHED—continued	ooved,
Thjekness, width and grado	Lengths	Maxi- mum prico per M'
4½2 x 2¼" First	2-16'	\$111, 50 105, 00 108, 00 85, 00 103, 00
4½2 x 3½" First	2-16'	103, 50 103, 00 105, 50 85, 00 100, 00
5362 x 234" First Second Second and better Third Third and better	2-16' 114-16' 115-16' 1-16' 1-16'	110,00 108,00 112,00 90,00 107,50
First Second Second and better Third Third and better Third.	2-16'	110,00 108,00 112,00 90,00 107,50
36 x 1½" FirstSecond Third	2-16' 1½-16' 1-16'	78,00 60,00 30,60
36 x 2" First Second Third	2-16'	83, 50 71, 60 35, 60
56 x 1½" First	2-16'	74.50 64.00 69.50 47.50
56 x 234" First Second Second and better Third	2-16'	90, 00 82, 00 80, 00 60, 50
TABLE 2—JOIN	STED MAPLE FLOORING	
2552 x 232" First	2-16'. 1½-16'. 1½-16'. 1½-16'. 1-16'.	\$100,00 100,00 103,00 82,00 97,60
25/2 x 3/4° First	2-16'	ı
3362 x 2½° First	2-16'	112.00 100.00

3342 x 334"

Second and better....

Third and better....

2562 x 234"

Second and better..... Third and better.....

1-16'-----

First Second

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>8</sup> F.R. 10079, 12180; 9 F.R. 171.

		Maxi-		- 1	-		Į,	Mari-		1	Maxi
Thickness, width and grade	Lengths	mum price per M'	Thickness, y		L	engths		M. Duzo Buzo	Thickness, width and grade	Lengths	M. tex. bros.
<sup>25</sup> 52 x 234"			25£2 X	334"			TÌ		27/2 x 2''		
First	2-16' 2-5½' 7-2½''	\$92.50 86.50	First		2-16'			£57.00	First	2-16' 2-53'8' 7-21''	S33.5
	7-21"	68.00 86.50	Second and I	offer	195-16'			82.50 85.00		[7-21"	57.0 78.0
econd	11/2-5/2"	81.50	Third		1-16			71.20	Second	1½-16′ 1½-5½' 1-16″	73.0 53.5
Second and better	2-3/2   7-21"   1½-16'   1½-5½'   7-21"   1½-16'   1-16'   1-16'	59.50 89.50	Third and be		1-10			78.00	Third.	1-157	- CE.C
Third Third and better	1-16'	71.00 83.50	% x 2				1	Į	2}62 x 3}4"		
2542 x 134"	1	1 1	First Second		~16'_ 13~16'			72.60 72.60	First	(2-107 7-217 117-167	CO. C
irst	[2-16'	78.00 75.00	Third		1-16'			57.50	Second	11/-15' 7-21'' 11/-16'	85. 5 59. 0
	2-16' 2-5½' 7-21" (1½-16'	49.50 61.50	2352 X	234"			1		Second and better	1 7-157	74.5
econd	{7-21"   1-16"	44.00	First Second		~16'	********		00.00	Third and better	î-îć'	82.5
hırd.	1-10	. 33.00			135-16	******		92.50	3762 x 214"	0.100	
2552 x 2"	1	1	Third. Third and b	etter	1-16'			71.50 85.50	First.	2-16' [1½-16' (2-16' 1½-16' 1-16' 1-16'	97.3 92.5
irstecond	2-16'	78.00 72.00	. 8342 X				- 1		Second and better	11/2-16	96.0
hird	1-16'	60.00	Second and 1		116-167		ı	62.00	Third	1-16	74.5
252 x 334"	ro 161	. 89.50	Third	*******	1-16	*********		73.70	236- × 116"	l .	1
`irst	2-16' 7-21" 114-16'	72.00					K		First Second Third	7-16' 1½-16' 1-16'	66.3 66.3
econd	1½-16' 7-21" 1½-16'	. 01.00		TABLE C	-SPECIAL I	LENGTHS			Third.	1-16	520
econd and better hird	11/5-16'	. 1 72.50	When may	ole, birch o	r berch E	ouring of	the sta	braban	23/63 × 2/9		•
hird and better	1-16'	80.50	grades for t	thich maxi	mum pr	lees are e	stabils	hed in	First Second. Third.	7-16' 1½-16' 1-16'	90.0
% x 1½" Tirst	2-16'	_ C8.00	following spe	cal lengths	, the fells	wing addi	lions r	noy bo	Third	- 1-10'	7L(
econa	13½-16′ 1-16′	56.00 24.00	When may grades for v Tables 1, -, following spe made to the standard len	gths shown	in the to	ples:	1111111	m mi	#362 x 314" First	2-16'	97.
hird	4-10	24.00					1		Second and better	2-16' 11/2-16' 11/2-16'	91.0
¾ x 2″							leba	imum Lian to	Third. Third and tetter.	1-16'	76.
irst econd	2-16' 1½-16' 1-16'	- 72.50 - 61.00	Special lengths	Gran	đo –	Siro		imum Te for		1-10	89.0
bird	1-16'	- 28.50	(feet)				stat	idard igth	4½2 x 2¼" First	2-16'	101.
56 x 132" irst	2_16'	65.00					E	eek	Second and better	2-16' 1½-16' 1½-16'	05.
200Bd	2-16' 1½-16' 1-16'	54.50 39.50		707			i	44.63	Third. Third and tetter	1-16'	77.
bird	1-10	- 35.30	4 to 16 4 to 16	First Second		Any		\$4.00 0.00		1	l l
₹6 x 2} <b>4"</b>			4 to 16 4 to 16	Third Second an	d better.	ADY	1	9.09 63.4	4]62 x 3]4" First	2-16' 134-16' 134-16' 1-16'	63.
irst cond	2-16'. 1½-16'. 1-16'.	79.00	4 to 16	Third and	l retter	Any	1	69	Second and better	132-16	<u>cc.</u>
bird	1-16'	- 57.00		1		1	<u> </u>		Third. Third and tetter	I-16'	- GL
8352 x 234"		1						imum uctian	4752 1 235"	1	1
irst	2-16' 1½-16'	96.50	Non-stand- ard lengths	Gm Gm	đa	Size	from	maxi- a price	First. Second.	2-16' 1½-16' 1½-16'	105. 98.
econd econd and better	134-16'	_ 93.00	(feet)	1			for	tand- length		115-16'	162
hird hird and better	1-16' 1-16'	72.00 87.50				l		ccz	Third and better.	1-16'	
	1	<u> </u>				1	i —		5762 x 314"		
TABLE 4JO	INTED BIRCH FLOORING		2 to 3½ 1½ to 3½	First Second		Any	:	\$11.00 2.00	First Second	2-16' 1'4-16' 1'5-16'	103
	1	<del></del>	1 to 3}2	Third		Any	· <b>\</b>	0.00	Second and better Third	_ 1-16′	162 82 97.
2552 x 335"	_		ALL REGIO	NS OR ARI	EAR OTH	ER THAN	Non	THERM.	Third and bester	1-16'	67.
irstecond	2-16"	\$74.50 62.00	SOUTHERS WOOD RE	i, Eouth Ce	NTBAL AS	ed Appala	CINAN	HARD-	%x 1}4" First	7-16*	71.
brd	1-16"	60.00		0101-0					Fecond Third	7-16' 1½-16' 1-16'	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
			TABLE 7-MA				17001	ED, A27D			
ABLE 5-BEECH FLOO	RING, TONGUED AND	ROOVED,		EAL	HATCHE				First	2-16'	76.
AND	END MATCHED				1			Moxi-	Eccond	1125-167 1-167	(5. 32
2562 x 234"				width and	1 :	Lengths		price	%x 134"		1
rirst	[2-16'	\$92.00 \$6.00	, N.	ıde				Fer	First Second	2-16' 1½-16'	67. £8.
	2-516' 8-21"	1 00 00	ļ		<u> </u>				Second and better Third	11/4-16'	£3.
econd	11½-16′ - 11½-5½′	81.50	2562	x 2}{	m_10*			693 80			
Second and better		71.00	First		. 335		•••••	\$3.50 87.50 71.00	%x 214" First	2-167	82
hird	1-16' 1-514' 8-21"	69.50 51.50			134-10			83.00	Second and better	114-167	74. 73.
hird and better	. 1-16'	82.50	Fecond	•	14-167 14-54 1-21"			G4.00	Third	1-16'	60-
2522 x 1}_"	(2-16'	78.50	Fecond and Third		0-10		*****	01.00 73.00			
irst	2-16' 2-514' 8-21"	76.50 48.00	Third and l		2-16' 1-16'			76.00 85.60	TABLE 8—JO	CITED HAPLE FLOORE	sg.
econd	_  1½-16′	62.50		: 134"	1	•••					1
`hird	1-16'	- o.w	1	* "	[2-10]		****	£5.00	21/1 x 21/2" First	2-10	\$3ō.
25/22 x 2"		<b> </b>	First	~~~~~~	2-16' 2-519' 7-21'' 114-16' 7-21''		*****	73.00	Eccond.	1½-16' 1½-16'	91 93
irstecond	2-16' 1½-16'	80.50 75.00	Second		1134-16' 7-21''		*****	64.60 40.60	Eccond and tetter Third	1-16'	74
Third	1-16'	62.50	I AMILUTED	********	1-16			12.00	Third and tetter	1-16/	88.

TABLE 11—BEECH FLOORING, TONGUED AND GROOVED, AND END MATCHED

TABLE 8—JOINTED M	APLE FLOORING—conti	nued
Thickness, width and grade	Lengths	Maxi- mum price per M'
2552 x 3½" First	2-16' 1½-16' 1½-16' 1-16' 1-16'	\$93.00 88.00 90.59 74.50 86.50
33/32 x 2½" First	2-16' 1½-16'	102.00 96.50 99.00 77.50 94.00
First 33/2 x 3//" First Second Second and better Third Third and better 25/52 x 21/"	2-16' 1½-16' 1½-16' 1½-10' 1-16'	105.00 100.00 102.50 79.00 97.50
Second and better Third and better	134-16' 1-16'	90. 00 84. 50
TABLE 9—BIRCH FLOOR	RING, TONGUED AND GRO	OVED
• 2552 x 21/4" First	(2-16' 2-5½' 17-21"	\$\$4.00 78.50
Second and betterTbird	11½-16′ 11½-5½′ 17-21′ 1½-16′ 1-16′	62.00 78.50 74.00 54.00 81.50 64.50
Third and better	1-16'	64, 50 76, 00 71, 00 68, 00
First  Second Third	2-16' 2-515' 7-21" 11½-16' 17-21" 1-16'	68.00 45.00 56.00 40.00 48.00
25/32 x 2" First Second Third 25/52 x 314"	2-16'	71.00 65.50 54.50
First Second Second and better Third Third and better	{2-16' {7-21'' {1½-16' {7-21'' 1½-16' 1-16' 1-16'	81. 50 66. 50 76. 00 55. 50 78. 50 66. 00 73. 00
% x 1½". First Second Third	2-16' 1½-16' 1-16'	62.00 51.00 22.00
First	2-16'	66, 00 55, 50 26, 00
%x 1½". First	2-16' 1½-16' 1-16'	59.00 49.50 36.00
96 x 2½" First	2-16' 1½-16' 1-16'	72.00 64.50 52.00
3352 x 234" First	2-16'. 1½-16'. 1½-16'. 1-16'. 1-16'.	87. 50 82. 50 84. 50 65. 50 79. 50
	nted biech flooring	
2552 x 834"  First	2-16'	\$67.50 58.50 54.50

)					
Thickness, width and grade	Lengths	Maxi- mum price per M'			
2552 x 214" First	(2-16' (2-5)4' (8-214' 114-16'	\$83.50 -78.00 62.00 79.00 74.00			
Third and Better	1½-16' 1-16' 1-5½' 8-21'' 1-16'	81. 50 64. 50 63. 00 47. 00 75. 00			
2552 x 132"  First	{2-16' {2-5}½' {8-21'' 1½-16' 1-16'	•71.50 69.50 43.50 57.00 49.00			
<sup>25</sup> / <sub>32</sub> x 2" First	2-16'	73.00 68.00 57.00			
First	2-16' 1½-16' 1½-16' 1-16' 1-16'	79.00 75.00 77.50 65.00 71.00			
56 x 234". First	2-16'	72.00 65.00 52.50			
FirstSecondSecond and better ThirdThird and better	2-16' 1½-16' 1½-16' 1-16' 1-16'	86. 50 •82. 00 84. 00 65. 00 77. 50			
33/2 x 31/4" Second and better Third	1½–16′ 1–16′	83, 50 67, 00			

### TABLE 12-SPECIAL LENGTHS

When maple, birch or beech flooring of the standard grades for which maximum prices are established in Tables 7, 8, 9, 10, and 11, is ordered and furnished in the following special lengths, the following additions may be made to the maximum price for the same item in the standard lengths shown in the tables:

Special lengths (feet)	Grade .	Size	Maximum addition to maximum price for standard length stock
4 to 16 4 to 16 4 to 16 4 to 16 4 to 16	FirstSecondThird. Second and better. Third and better.	Any Any Any Any	\$4.00 6.00 9.00 5.50 7.00
Non-stand- ard lengths (feet)	Grade	Size	Minimum deduction from maximum price for standard length stock
2 to 3½ 1½ to 3½ 1 to 3½	First Second Third	Any Any Any	\$11.00 9.00 6.00

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1944, CHESTER BOWLES, Administrator.

[F. R. Doc. 44-5949; Filed, April 26, 1944; . 11:56 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIAL FOR PAPER AND PAPER PROD-UCTS, PRINTING AND PUBLISHING [MPR 530]

IMPORT PRICES FOR PULPWOOD PRODUCED IN THE PROVINCES OF QUEBEC, NEW BRUNS-WICK AND NOVA SCOTIA IN THE DOMINION OF CANADA

In the judgment of the Price Administrator, it is necessary and proper to establish maximum import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another government agency.

§ 1347.808 Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 530 (Import Prices For Pulpwood Produced In The Provinces of Quebec, New Brunswick and Nova Scotia In The Dominion of Canada) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.808 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 530—IMPORT PRICES FOR PULPWOOD PRODUCED IN THE PROV-INCES OF QUEBEC, NEW BRUNSWICK AND NOVA SCOTIA IN THE DOMINION OF CANADA

### Sec.

- 1. Prohibitions.
- 2. Less than maximum prices.
- 3. Adjustable pricing.
- 4. Evasion.
- 5. Enforcement.
- 6. Records and reports.
- 7. Petitions for amendment.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

Sec.

Definitions.

 Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada.

SECTION 1. Prohibitions. (a) On and after May 1, 1944, regardless of any contract except those made on or before February 2, 1944, agreement, lease or other obligation, no person in the course of trade or business shall import from the Provinces of Quebèc, New Brunswick and Nova Scotia in the Dominion of Canada into the continental limits of the United States of America, pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada at prices in excess of the maximum prices set forth in Section 9 of this regulation; and no person shall agree, offer, solicit, or attempt to do any of the foregoing: "Provided, That the maximum prices established herein shall-not apply to pulpwood which is produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada on limits owned or operated by a United States consuming mill or its subsidiary when the pulpwood is sold to the United States consuming mill owning the operation or controlling the subsidiary.

(b) Prohibited practices. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents prices is as much a violation of this regulation as an outright over-ceiling price.

SEC. 2. Less than maximum prices. Lower prices than those set forth in section 9 of this regulation may be charged,

demanded, paid, or offered. Sec. 3. Adjustable pricing. Any person may agree to buy at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, receive or agree to receive pulpwood at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by letter or order.

SEC. 4. Evasion. The price limitations set forth in this Maximum Price Regulation 530 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to imported pulpwood produced in the Provinces of Quebec, New Bruns-

wick and Nova Scotia in the Dominion of Canada, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium or other privilege, or by tying agreement or understanding, or otherwise.

Sec. 5. Enforcement. Persons violating any provisions of this Maximum Price Regulation 530 are subject to the criminal penalties, civil enforcement actions, and usits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 6. Records and reports. (a) On and after May 1, 1944, every person importing pulpwood, for which a maximum price is established by this regulation, shall make and shall preserve, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, records of such imports in the same manner as were customarily kept by such person prior to the effective date of this regulation.

(b) Every person required to keep records by paragraph (a) of this section shall submit such reports as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Sec. 7. Petitions for amendment. Any person seeking an amendment of any provision of this Maximum Price Regulation 530 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1<sup>3</sup> issued by the Office of Price Administration.

Sec. 8. Definitions. (a) When used in this Maximum Price Regulation 530 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes any government, or any of its political subdivisions, or any agency of the foregoing except the United States or any agency thereof:

(2) "Import" means to buy, receive, transfer, transport or accept delivery of pulpwood into the continental limits of the United States which has been produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada, regardless of whether the importer deals directly with the seller, or deals through an agent, broker or other intermediary acting for either party, in or outside the continental limits of the United States, and regardless of whether such importation is for use or for resale.

(3) "Broker" means any person who sells to consumers pulpwood not cut or prepared by him, but purchased by him in the condition in which It is to be delivered to a consumer.

Sec. 9. Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada. (a) The maximum import price per cord for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada shall not exceed the appropriate domestic Canadian ceiling prices as established by Administrator's Orders Nos. A-1079, A-1080 and A-1081 issued by the Canadian Wartime Prices and Trade Board and effective on and after, February 2, 1944 by more than 50¢ (Canadian funds) per cord for rough pulpwood and 50¢ (Canadian funds) per cord for peeled pulpwood.

(b) Notwithstanding the limitations of the above-mentioned Canadian Orders, if a consumer buys pulpwood through a broker as defined in section 8 (a) (3) hereof, such consumer may pay such broker, in addition to the maximum price provided in section 9 hereof, a commission not to exceed 50¢ per cord for rough pulpwood and \$1.00 per cord for peeled pulpwood. Commissions so paid may not be split or divided with

any other person.

(c) In the event that the Canadian Wartime Prices and Trade Board or any other duly authorized person grants an exception or adjustment to any producer or seller of Canadian pulpwood from the maximum prices established by the above-mentioned Administrator's Orders Nos. A-1079, A-1080 and A-1081, the person importing such pulpwood may apply to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C. for authority to pay the amount necessary to cover such exception or adjustment. Such application shall set forth (1) that the application is based on an adjustment or exception granted to the producer and/or seller by the Canadian Wartime, Prices and Trade Board or any other duly authorized person (2) the name and address of the producer and/or seller and (3) the amount of the adjustment or exception so granted. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 10 days from the filing of such application approve, disapprove, adjust, amend or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to nonretroactive written disapproval or adjustment at any later time by the Office of Price Administration.

This regulation shall become effective May 1, 1944.

Note: All of the reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of April 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-5948; Filed, April 26, 1944; 11:56 a.m.]

<sup>&</sup>lt;sup>2</sup>7 FR. 6961; 8 FR. 3313, 3533, 6173, 11806; 9 FR. 1594, 3075.

# TITLE 34—NAVY

Chapter I-Department of the Navy

PART 14-CLAIMS

REIMBURSEMENT OF MARINE CORPS PERSONnél for loss, damage, or destruction of PRIVATE PERSONAL PROPERTY

Section 14.3 (a) (8 F.R. 16931) is amended to read as follows:

§ 14.3 Marine Corps Service person-nel—(a) Claims. The Commandant of the Marine Corps and under his direction the Officer in Charge, Research Division, Personnel Department. Headquarters U.S. Marine Corps, are hereby designated and authorized to consider, ascertain, adjust, and determine claims filed under the provisions of subject act by Marine Corps service personnel.

(Pub. Law 176, 78th Cong.)

JAMES FORRESTAL, Acting Secretary of the Navy.

[F. R. Doc. 44-5915; Filed, April 26, 1944; 10:10 a. m.]

# TITLE 46—SHIPPING

Chapter I-Coast Guard: Inspection and Navigation

PILOTS ON ALASKAN RUNS: HOURS OF DUTY . AND WATCHES

WAIVER OF NAVIGATION AND VESSEL INSPEC-TION LAWS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection Laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war, and

It appearing from facts reported by the Commandant, Thirteenth Naval District, that due to wartime unavailability of sufficient experienced personnel to serve as pilots on the Alaskan runs the efficiency of transportation necessary in the conduct of the war is impaired by the application to pilots on the Alaskan runs of certain navigation and vessel inspection laws relating to the hours of duty and

watches of such pilots,
Now therefore, upon the recommendation of the Vice Chief of Naval Operations, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Navigation and Vessel Inspection Laws administered by the United States Coast Guard, including section 2 of the Act of March 4, 1915, c. 153, as amended (46 U.S.C. 673), R.S. 4463, as amended (46 U.S.C. 222), and section 2 of the Act of May 11, 1918, c. 72 (46 U.S.C. 223), in the case of any

vessel on the Alaskan runs engaged in business connected with the conduct of the war, to the following extent and in the following manner:

To the extent necessary to permit, but not to compel, the employment of pilots on the Alaskan runs for a maximum period of twelve hours per day.

Dated: April 25, 1944.

R. R. WAESCHE, Vice Admiral, U.S. Coast Guard, Commandant.

[F. R. Doc. 44-5911; Filed, April 26, 1944; 9:17 a. m.]

# TITLE 49-TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

Subchapter A-General Rules and Regulations [S. O. 201]

# PART 95-CAR SERVICE

RS TYPE REFRIGERATOR CARS At a session of the Interstate Com-

merce Commission, Division 3, held at its office in Washington, D. C., on the

25th day of April, A. D. 1944.

It appearing that the transportation of ice in RS type refrigerator cars delays the movement of such cars and impedes the use of such cars acutely needed for the transportation of perishable freight; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of RS It is ordered, That:

§ 95.338 RS type refrigerator cars; use for transporting ice. (a) No common carrier by railroad subject to the Interstate Commerce Act shall furnish an RS type refrigerator car for loading with ice or shall accept for transportation or move any RS type refrigerator car loaded with ice.

(b) Application. The provisions of this order shall apply to intrastate transportation as well as interstate transportation.

(c) Tariff provisions suspended. The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(d) Announcement of suspension. Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(e) Special and general permits. The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances: (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., April 29, 1944; that a copy of this order and direction shall be served upon each State Commission; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3. [SEAL] W. P. BARTEL, Secretary.

[F. R. Doc. 44-5918; Filed, April 26, 1944; 10:52 a. m.j

Subchapter B-Carriers by Motor Vehicles [Ex Parte MC-5]

PART 174—SURETY BONDS AND POLICIES OF INSURANCE

### INSURANCE COMPANIES

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 18th day of April, A. D. 1944.

In the matter of security for the protection of the public as provided in Part II of the Interstate Commerce Act, and of rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a selfinsurer, or other securities and agreements by motor carriers and brokers subject to Part II of the Interstate Commerce Act.

The matter of amending § 174.8 of our rules and regulations governing the filing and approval of surety bonds, pollcies of insurance, qualifications as a selfinsurer, or other securities and agreements prescribed by our order entered August 3, 1936, as amended, and relating to security for the protection of the public, being under consideration; and for good cause appearing therefor:

It is ordered, That from and after April 25, 1944, § 174.8 of said rules and regulations prescribed by said order of August 3, 1936, be, and it is hereby, amended to

read as follows:

§ 174.8 Insurance companies—(a) State authority. No policy of insurance (or certificate of insurance in lieu thereof) will be approved by the Commission under these rules and regulations unless written or issued by an insurance company legally authorized to issue such a policy in each state in which the insured motor carrier is authorized to operate under Part II of the Interstate Commerce Act, and such insurance company fully complies with paragraph (b) of this rule: Provided, however, That the Commission will approve certificates of insurance from two or more insurance

companies, or a certificate of insurance and a surety bond as provided for in § 174.6 hereof, in lieu of a certificate of insurance from one company if such certificates, or certificate and surety bond, each provide the prescribed coverage for separate states and collectively provide all the coverage prescribed in these rules and regulations.

(b) Financial resources. Each insurance company must possess the minimum financial resources applicable to it as hereinafter provided, which minimum will be determined on the basis of the values of assets and liabilities as shown in its financial statements filed with and approved by the insurance department or other insurance regulatory authority of the state of domicile (home state) of such company, except in instances where, in the judgment of the Commission, additional evidence with respect to such values is considered necessary:

(1) Stock corporations must have and maintain minimum policyholders' surplus funds of \$200,000, of which paid-in capital shall be not less than \$150,000.

(2) Non-stock corporations and other non-stock organizations or associations issuing non-assessable policies of insurance must have and maintain surplus funds (policyholders' surplus) in excess of all liabilities of not less than \$200,000.

(3) Non-stock corporations and other non-stock organizations or associations, issuing policies of insurance on an assessable basis only, must have and maintain surplus funds (policyholders' surplus) in excess of all liabilities of not less

than \$150,000.

(c) Effective date. This section shall be effective (1) on April 25, 1944, as to insurance companies which are not now qualified to file certificates of insurance with the Commission, and (2) on June 24, 1944, as to companies which are now qualified to file certificates of insurance with this Commission, except that if any affected company which is now qualified to file certificates of insurance with this Commission shall on or before June 24, 1944, give assurance to this Commission, in writing, of its willingness, apparent ability, and intent, promptly to rearrange its financial affairs so as to qualify, then as to such company, the amended rule shall not be effective until October 23,

(Sec. 215, 49 Stat. 557; 49 U.S.C. 315)

By the Commission, Division 5.

[SEAL]

W. P. BARTEL, Secretary. .

[F. R. Doc. 44-5910; Filed, April 25, 1944; 4:49 p. m.]

# Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

MAMMOTH CAVE NATIONAL PARK, KY. POLICE JURISDICTION ASSUMED BY U. S.

APRIL 10, 1944.

GOVERNOR WILLIS: The United States has acquired under the authority of the

act of Congress approved May 25, 1926 (44 Stat. 635), as amended by the acts approved May 14, 1934 (48 Stat. 775), and August 28, 1937 (50 Stat. 871), certain lands in Barren, Edmonson, and Hart Countles, Kentucky, for the establishment of the Mammonth Cave National The lands so acquired by the Park. United States are described in the deeds listed in the attached schedule marked Exhibit A, showing the name of the grantors, the date of the deeds, and place of recordation.

Notice is hereby given, in accordance with the provisions of section 10 of the Act of Congress approved June 5, 1942 (56 Stat. 317), that the United States assumes police jurisdiction over the abovementioned lands, effective as of the first day of May 1944, at 12 m., Central War Time. The transfer of such jurisdiction to the United States has been authorized by the act of the General Assembly of the Commonwealth of Kentucky, approved March 22, 1930 (Acts of 1930, ch. 132, p. 405).

It is requested that you endorse the attached duplicate original of this notice of acceptance, indicating the date of its receipt, and return the same to this Dapartment. There is attached for your convenience a self-addressed envelope

which requires no postage.

[SEAL] ABE FORTAS, Acting Secretary of the Interior. The Hon. Simeon S. Willis, Governor of Kentucky, Frankfort, Kentucky.

Enclosure 696.

Received this 13th day of April 1944, at 10 a. m.

SIMEON WILLIS, Governor of Kentucky.

[F. R. Doc. 44-5912; Filed, April 26, 1944; 9:24 a. m.]

# FEDERAL POWER COMMISSION.

[Docket Nos. G-220, G-402]

MONDAKOTA DEVELOPMENT CO., ET AL. ORDER POSTPONING HEARING

APRIL 25, 1944.

In the matter of Mondakota Development Company v. Montana-Dakota Utilities Co., Docket No. G-220; in the matter of Montana-Dakota Utilities Co., Docket No. G-402.

It appearing to the Commission that: A public hearing in the above proceedings is now scheduled to be held beginning at 10 o'clock a. m. on May 3, 1944, in Court Room No. 3, Third Floor, U. S. Court House, Minneapolis, Minnesota;

The principal attorney of one of the companies in the above proceeding has been subpoensed to appear as a witness in the Federal Court in San Antonio, Texas, on May 3, 1944;

The Commission finds that:

It is necessary and appropriate to postpone the hearing in this matter from May 3 to May 5, 1944, so that said at-

torney may appear as a witness in the Federal Court in San Antonio, Texas;

The Commission orders that:

The hearing now set for May 3, 1944, be postponed until May 5, 1944, at 10 o'clock a. m., in Court Room No. 3, Third Floor, U. S. Court House, Minneapolis, Minnesota.

By the Commission.

LEON M. FUQUAY, Secretary.

[F. R. Doc. 44-5913; Filed, April 26, 1944; 9:24 a. m.]

# FEDERAL TRADE COMMISSION.

[Docket No. 5152]

H. A. IRVING CO.

NOTICE OF HEARING

In the matter of Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, copartners trading as H. A. Irving Company.

Complaint. The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, section 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE. Respondents Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, since June 19, 1936, have engaged and are now engaged as copartners trading as H. A. Irving Company, with their principal office and place of business located at 206 Sansome Street, San Francisco, California, and have engaged and are now engaged in the business of canning, packing, distributing and selling sea food products.

The respondents, since June 19, 1936, have owned a controlling stock interest in Sea Pride Packing Corporation, Ltd.; which corporation has operated since June 19, 1936, two packing plants, one of which is located at Monterey, California, and another at Terminal Island, California, and have engaged and are now engaged in the business of canning, packing and distributing canned sardines. canned tuna, canned mackerel, fish meal and fish oil. This corporation has its principal office and place of business located at 206 Sansome Street, San Francisco, California, where respondents' principal office and place of business is also located.

The respondents since June 19, 1936, have owned a controlling stock interest in Carmel Canning Company, which company has operated since June 19, 1936, a packing plant located at Monterey, California, and have engaged and are now engaged in the business of canning, packing and distributing canned sardines, fish meal and fish oil. This company has its principal office and place of business located at 206 Sansome Street, San Francisco, California, where respondents'

<sup>&</sup>lt;sup>2</sup> Filed as part of the original document.

principal office and place of business is also located.

The respondents since June 19, 1936, have engaged in business as sales agents for Sea Pride Packing Corporation, Ltd., and Carmel Canning Company, and for other corporations, firms and individuals who are engaged or who have engaged in the business of canning, packing and distributing sea food products.

PAR. Two. The respondents, as the controlling stockholders and as sales agents for Sea Pride Packing Corporation, Ltd., and Carmel Canning Company, have, directly and indirectly, engaged in the business of distributing and selling canned sardines, canned tuna fish, canned mackerel and other sea food products in their own name and for their own account for resale, and also in the name of Sea Pride Packing Corporation, Ltd., and Carmel Canning Company, for respondents' own account for resale.

The respondents sell and distribute their sea food products through two separate and distinct methods. Their principal method of selling and distributing sea food products is through the efforts of their own sales agents or intermediarles located in various sections of the United States, who, under respondents' direction, negotiate and sell respondents' sea food products in respondents' name and at respondents' prices and on respondents' terms, and for which services to the respondents such sales agents or intermediaries are paid by respondents the customary rate of commissions or brokerage fees.

The respondents' secondary method of sale and distribution is by the direct sale of their sea food products to certain buyers who are also paid by respondents commissions or brokerage fees on their own purchases.

Such buyers customarily designate themselves as "brokers" and their business as "brokerage", although they are generally known to the trade as "buying brokers" or "speculative brokers". Such buyers purchase merchandise in their own name and for their own account directly from those sellers, and only from those sellers, who will pay them commissions or brokerage fees on their own purchases. It is the custom of such buyers, after the purchase and receipt of such merchandise, to store it in their own warehouses or in public warehouses, where it is immediately covered by the respective buyers' insurance. Normally such buyers utilize warehouse receipts covering the merchandise they have purchased and stored as collateral or security in obtaining loans from banks. Such buyers sell such merchandise in their own name and for their own account and at their own prices and on their own terms, and assume full and complete credit risk on such merchandise as they buy and sell in their own name and for their own account. Where such merchandise is lost or damaged in transit from the sellers to the buyers, such buyers file-claims against and collect damages from the respective transportation companies. Such buyers collect such damages in their own name and for their own account.

Such buyers mask these operations under the fictionalized designation of "brokers" or "merchandise brokers" for the sole purpose of coloring the name and method of their operation, in order to collect commissions or brokerage fees from the few remaining sellers who will pay such buyers commissions or brokerage fees on purchases made in such buyer's own names and for such buyers' own accounts.

The respondents, to distinguish their sea food products from the sea food products sold by competitors, and to facilitate sales, utilize registered and unregistered trade marks and brands for the various sea food products they sell. These brands or trade marks are generally known as packers' or sellers' brands. Representative of respondents' brands are "Sea Pride," "Salomer," "Sea Knight," "Calistar," "Sea Mist," "Valid," "Bright Eye," "Cali-Gen," "Diver," "BenSen," "Life Saver" and "Linde De Luxe." The respondents also sell their sea food products unlabeled or unbranded and under the labels or brands of their respective buyers which labels or brands are generally known to the trade as private or buyers' labels or brands.

PAR. THREE. The respondents, in the course and conduct of their said business since June 19, 1936, have sold and distributed a substantial portion of their sea food products directly to buyers located in states other than the state in which the respondents are established, and as a result of said sales and the respondents' instructions, such sea food products are shipped and transported across state lines to such buyers located in the various states of the United States.

PAR FOUR. The respondents, since June 19, 1936, in connection with the interstate sale and distribution of sea food products in their own name and for their own account, for resale, have sold such sea food products to numerous buyers located in the various states of the United States other than the state where respondents are established, and have been and are now paying or granting, or have paid or granted, directly or indirectly, commissions, brokerage fees or other compensation, allowances or discounts in lieu thereof, to numerous buyers of said sea food products sold under respondents' own labels or brands, unlabeled, or under buyers' labels or brands.

A representative, but by no means complete, list of buyers, some or all of whom designate themselves as "brokers", and who classify their business as "merchandise brokerage", who since June 19, 1936, have purchased sea food products unlabeled or under the respondents' labels or brands or under such respective buyers' labels or brands from the respondents for such buyers' own account for resale, and who have received and accepted, and who are now receiving and accepting, directly or indirectly, from said respondents on their own purchases of sea food products, commissions, brokerage fees or allowances and discounts in lieu thereof, is as follows:

Lloyd A. Gray Company, Inc., Jacksonville, Florida;

William H. Stanley, Inc., New York, New York;

Spence-Tomlin Company, Albany, Georgia; Hutchings Brokerage Company, Mobile, Alabama;

Hunt & Stembridge, Inc., Dothan, Alabama;

R. G. Lafaye Company, New Orleans, Louisiana.

PAR. FIVE. The paying and granting by respondents, directly or indirectly, of commissions, brokerage fees or other compensation and allowances or discounts in lieu thereof, to buyers of sea food products on their own purchases which are resold unlabeled or under either the buyers' or sellers' labels, and the acts and practices of the respondents in promoting sales of sea food products by paying to buyers, directly or indirectly, commissions, brokerage fees or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 21st day of April, A. D. 1944, issues its complaint against said respondents.

Notice. Notice is hereby given you, Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, copartners trading as H. A. Irving Company, respondents herein, that the 26th day of May, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the . Commission, without further notice to respondent, to prodeed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 21st day of April, A. D. 1944.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 44-5931; Filed, April 26, 1944; 11:02 a. m.]

INTERSTATE · COMMERCE COMMIS-SION.

[Service Order 202]

CANTON AND CARTHAGE RAILROAD CO.

ORDER-REPORTING FREIGHT TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of April 1944.

It appearing, that due to the destruction of a bridge by flood on the Canton & Carthage Railroad Company that carrier by railroad is unable to transport the traffic offered to it; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people; It is ordered, That:

(a) Bridge destruction; rerouting of freight traffic. Effective at once and until further order of the Commission the Canton & Carthage Railroad Company is hereby directed to forward freight traffic routed over its lines by routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made; provided that the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Rates to be applied. Inasmuch as the routing of traffic pursuant to the order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) Division of rates. In executing the orders and directions of the Com-

mission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That copies of this order and direction shall be served upon the Canton & Carthage Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL. Secretary.

[F. R. Doc. 44-5919; Filed, April 26, 1944; 10:52 a. m.l

[S. O. 70-A, Corrected Special Permit 215]

RECONSIGNMENT OF POTATOES AT MINNE-APOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A incofar as it applies to the reconsignment at Minneapolis, Minnesota, April 20, 1944, by Marshall Fruit, Inc., of car SFRD 33077, potatoes, now on the Chicago, Milwaukee, St. Paul & Pacific to Owatonna, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of April 1944.

R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5920; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 70-A, Special Permit 222]

RECONSIGNMENT OF POTATOES AT CHICAGO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To dicregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 22, 1944, by Chris Hansen of car CX 5014, potatoes, now on the Wood Street Terminal to Cincinnati, Ohio.

The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

> R. S. BCOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-8921; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 70-A, Special Permit 223]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To digregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, April 22, 1844, by Bacon Brothers of car FGE 10369, potatoes, now on the Wood Street Terminal to Bloomington, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Division of the Federal

Issued at Washington, D. C., this 22d day of April 1944.

R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5922; Filed, April 26, 1944; 10:52 a. m.]

No. 84---4

[S. O. 70-A, Special Permit 224] RECONSIGNMENT OF POTATOES AT ST. Louis, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, April 24, 1944, by A. M. Macheca Produce Company of car URT 92643, potatoes, now on the Alton Railroad, to Mt. Vernon, Illinois.

The waybill shall show refrence to this special permit.

A copy of this special permit has beenserved upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5923; Filed, April 26, 1944; 10:52 a. m.7

[S. O. 164, Amended Gen. Permit 18] REICING OF CITRUS FRUITS IN TEXAS

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once in transit to full bunker capacity any refrigerator car loaded with citfus fruits which have been sterilized prior to loading at Texas origins when such refrigerator car or cars are destined to points in Iowa, Minnesota, or to points east of the Mississippi River and north of the Ohio River. This reicing shall be in addition to the icing services authorized on Texas citrus fruits in Amended General Permits Nos. 8 and 9 under Service Order 164.

This permit shall become effective at 12:01 a. m., April 24, 1944, and shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been\* served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5928; Filed, April 26, 1944; 10:52 a. m.]

[S.O. 164, Special Permit 30]

REFRIGERATION OF CITRUS FRUITS AT AUBURNDALE, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to a mixed car of 300 cases oranges and 225 cases grape-fruit shipped April 22, by Adams Packing Company, Auburndale, Florida, to Camp Phillips, Smolan, Kansas, via S. A. L.-G. M. & O.-Mo. Pac.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5924; Filed, April 26, 1944; 10:52 a. m.]

[S. O. 164, Special Permit 31]

REFRIGERATION OF ORANGES AT LAKE HAMILTON, FLA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to FGE 37771, April 24, another car, number un-known, April 25 and 4 cars May 1 and 2, all containing valencia oranges, shipped or to be shipped by Lake Hamilton Cooperative, Lake Hamilton, Florida, on Atlantic Coast Line Railroad to Seattle, Washington.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

> R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5925; Filed, April 26, 1944; 10:53 a. m.]

[S. O. 178, Amended Gen. Permit 7]

LOADING OF DRIED OR EVAPORATED FRUITS, ETC.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing no. 178 insorar as it applies to the lumining or supplying of a refrigerator car or cars for loading with dried or evaporated fruits, figurate, fig powder, or fig pulp, or the transportation or movement of a refrigerator car or cars so loaded when shipped from cold storage

warehouses and moving under refrigeration.
This general permit shall become effective at 12:01 a. m., April 24, 1944, and shall expire at 12:01 a. m., September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of April 1944.

> R. S. BOOTH. Acting Director, Bureau of Service.

[F. R. Doc. 44-5927; Filed, April 26, 1944; 10:53 a. m.]

[S. O. 200, Special Permit 1]

REFRIGERATION OF POTATOES FROM CAM-ERON COUNTY, TEX.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce

To provide standard refrigeration on any refrigerator car loaded with potatoes, other than sweet, moving from any origin in Cam-

eron County, Texas.
This permit shall become effective at 6:00 p. m., April 24, 1944, and shall expire at 12:01 a. m., May 4, 1944. The waybills shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of April 1944.

R. S. BOOTH, Acting Director, Bureau of Service.

[F. R. Doc. 44-5926; Filed, April 26, 1944; 19:53 a. m.]

OFFICE OF ALIEN PROPERTY CUS-TODIAN.

> Manager of New York Office CERTIFICATE OF APPOINTMENT

Certificate of Appointment with power to make and revoke authorizations and to designate supervisors.

Know all men by these presents, that, pursuant to the authority vested in me by Executive Order No. 9095, as amended, I do hereby appoint and designate Frank J. Garvey, Manager of the New York Office, as my agent and delegate to make and to revoke on my behalf authorizations of transactions with respect to any bank, branch of a bank, insurance company or branch of an insurance company or any property of any bank, branch of a bank, insurance company, or branch of an insurance company, subject to the authority and power conferred upon me; and I do hereby further grant to said Frank J. Garvey power to appoint and designate for any specific bank, branch of bank, insurance company, or branch of insurance company, supervisors who shall have power to make and revoke authorizations of transactions on my behalf.

All transactions involving any such bank, branch of bank, insurance company or branch of insurance company, or property of any of them, are prohibited unless heretofore or hereafter authorized by the Alien Property Custodian or by his delegate or by a supervisor designated by the Alien Property Custodian or by his delegate.

This certificate of appointment supersedes and revokes the authority of all delegates and supervisors appointed by the Alien Property Custodian before this date over and with respect to the said banks, branches of banks, insurance companies and branches of insurance companies; Provided, however, That nothing contained herein shall affect the validity of anything heretofore done by authority of the Alien Property Custodian.

In testimony whereof, I have hereunto set my hand and seal this 18th day of April 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-5881; Filed, April 25, 1944; 11:16 a. m.)

## AUBREY C. STEEVES

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLAIM

In the matter of the claim of Bessie E. Steeves, Administratrix of the Estate of Aubrey C. Steeves, deceased, Informal Notice of Claim re Patent No. 1,750,202, vested by V.O. No. 201.

The Alien Property Custodian having by the vesting order above identified vested the above described property as property of a national of a foreign country; and the claimant above identified e having filed a notice of claim alleging that she is the Administratrix of the Estate of Aubrey C. Steeves, deceased, who

was the owner of the property described in the notice of claim and that she is not a national of a designated enemy country; and recommendation for allowance of said claim having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the Regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting order, claim and recommendation are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N.W., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 8, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterization of the claim is for informational purposes only. and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE.

> JOHN C. FITZGERALD, Chairman. MICHAEL F. KRESKY.

NUCENT DODDS.

APRIL 24, 1944.

[F. R. Doc. 44-5882; Filed, April 25, 1944; 11:12 a. m.j

### GEORGE DE BECZE, ET AL.

NOTICE OF SUMMARY PROCEEDING FOR ALLOWANCE OF CLATES

In the matter of the claims of George de Becze, APC-16 re Patents Nos. 2,154,-150 and 2,209,444, vested by V.O. No. 201; Robert Honigsberg, Informal claim re Patent No. 2,180,758, vested by V.O. No. 201; Leopold Lion, APC-16 re Patent No. 2,189,506, vested by V.O. 2430; Georg Szekely, Informal claim re Patent No. 2,117,863 et al. vested by V.O. No. 201.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that he is the owner of the property described in each notice of claim respectively and that he is not a national of a designated enemy country; and recom-mendation for allowance of each of said claims having been submitted;

Notice is hereby given, pursuant to § 501.1 (h) of the Regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before May 8, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

VESTED PROPERTY CLAIMS [SEAL] COMMITTEE. JOHN C. FITZGERALD, Chairman. MICHAEL F. KRESKY,

NUCENT DODDS.

APRIL 24, 1944.

[F. R. Doc. 44-5883; Filed, April 25, 1944; 11:12 a. m.]

### [Vesting Order 3360]

COPYRIGHT INTERESTS HELD BY CERTAIN FOREIGN-NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof,1 if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person:

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3:

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name

of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect

to any or all of the foregoing;
4. All rights of reversion or revesting, if

any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held

Filed as part of the original document.

therein by, nationals of one or more foreign countries.

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise: and

Deeming it necessary in the national in-

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise ° dealt with in the interst of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole orin part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allow-

ance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 21, 1944.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 44-5857; Filed, April 25, 1944; 11:14 a. m.]

# [Vesting Order 3413]

### CARL RUDOLF UHLICH AND HANS OTTO HELLMUTH VON STERN

In re: Interests of Carl Rudolf Uhlich and Hans Otto Hellmuth von Stern in an agreement with Eugene Dietzgen Co. and Kalle & Co. Aktiengesellschaft; Interests of Hans Otto Hellmuth von Stern, Hans von Stern and Kalle & Co. Aktiengesellschaft in an agreement between them; Interests of Kalle & Co. Aktiengesellschaft in an agreement dated December 15, 1937 with Ozalid Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carl Rudolf Uhlich and Hahs Otto Hellmuth von Stern are citizens and residents of Germany and are nationals of a

foreign country (Germany); 2. That Hans von Stern and Kalle & Co. Aktiengesellschaft are firms organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

3. That the property described in subparagraph 6a hereof is property of Carl Rudolf Uhlich and Hans Otto Hellmuth von Stern;

4. That the property described in sub-paragraph 6b hereof is property of Hans Otto Hellmuth von Stern and Hans von Stern and Kalle & Co. Aktiengesellschaft;

5. That the property described in subparagraph 6c hereof is property of Kalle & Co.

Aktiengesellschaft:

6. That the property described as follows: (a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Carl Rudoif Uhlich and Hans Otto Hellmuth von Stern, and each of them, by virtue of an agreement dated October 1, 1931 (including all modifications thereof and supplements thereto, if any) by and between Eugene Dietzgen Co., Carl Ru-dolf Uhlich, Hans Otto\_Hellmuth von Stern and Kalle & Co. Aktiengesellschaft, which agreement relates to Patents No. 1,841,466 and 1,841,482,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans Otto Hellmuth von Stern, Hans von Stern and Kalle & Co. Aktiengesellschaft, and each of them, by virtue of an agreement dated December 14, 1933 (including all modifications thereof and supplements thereto, including, but not by way of limitation, agreement by exchange of letters dated April 16, 1935 and April 25, 1935 and agreement dated February 12, 1936) by and between Hans von Stern and Kalle & Co. Aktiengesellschaft, which agreement relates, among other things, to Patent No. 1,861,329,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kalle & Co. Aktiengesellschaft by virtue of an agreement dated December 15, 1937 (including all modifications thereof and supplements thereto, if any) by and between Kalle & Co. Aktiengesellschaft and Ozalid Corporation, which agreement relates to Patents No. 1,841,466 and 1,841,482,

is property payable or held with respect to patents or rights related thereto in which intérests are held by, and such property it-self constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an anpropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as

amended.

Executed at Washington, D. C. on April 4, 1944.

JAMES E. MARKHAM, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-5858; Filed, April 25, 1944; 11:15 a. m.]

# [Vesting Order 8414] PETER OSTBYE

In re: Interest of Peter Ostbye in an agreement with S. L. Allen & Co., Inc.
Under the authority of the Trading

with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Peter Ostbye is a resident of Norway and is a national of a foreign country (Norway);

2. That the property described in subparagraph 3 hereof is property of Poter Ostbye;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Peter Ostbye, doing business as Splitkeinfabrikken, Ostbye Balgskontor, by virtue of an agreement dated June 8, 1939 (including all modifications thereof and supplements thereto, if any) by and between Peter Ostbye and S. L. Allen & Co., Inc., which agreement relates, among other things, to United States Letters Patent No. 2,112,183,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such proporty itself constitutes interests held therein by, a national of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby yests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid

in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 4, 1944.

[SEAL]

James E. Markham, Alien Property Custodian.

[F. R. Doc. 44-5859; Filed, April 25, 1944; 11:15 a. m.]

### [Vesting Order 3415]

### SAURESCHUTZGESELLSCHAFT M. B. H.

In re: Patents and interest of Saureschutzgesellschaft m. b. H. in an agreement with Continental-Diamond Fibre Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johann K. Wirth is a resident and citizen of Germany and is a national of a foreign country (Germany);

2. That Saureschutzgesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Johann K. Wirth:

4. That the property described in subparagraphs 5b and 5c hereof is property of Saureschutzgesellschaft m. b. H.; 5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government past infringement thereof, in and to the following Letters Patent:

Patent Number, Date, Inventor, and Title

1,747,964; 2-19-30; Johann K. Wirth; Process of uniting parts of artificial resin and article made thereby.

1,767,421; 6-24-30; Johann K. Wirth; Method of producing chemically stable articles.

1,789,642; 1-20-31; Johann K. Wirth; Process of manufacturing large receptacles. 1,867,960; 7-19-32; Johann K. Wirth; Acid-

proof structure.

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following Letters Patent:

Patent Number, Date, Inventor, and Title

1.917.413; 7-11-33; Johann K. Wirth; Process for manufacturing chemical resisting articles.

1,917,451; 7-11-33; H. Lebach & Johann K. Wirth; Process for the production of molded articles from plastic compositions. 1,949,135; 2-27-34; Johann K. Wirth;

Method of manufacturing vexels.

1,960,120; 5-22-34; Erich Mohring; Manufacturing of articles from synthetic resin compounds.

2,016,997; 10-8-35; Fritz Hartke; Draining cock.

2,016,998; 10-8-35; Fritz Hartke; Straight way cock.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Saureschutzge-sellschaft m. b. H. by virtue of an agreement dated July 22, 1932 (including all modifica-tions thereof and supplements thereto, if any) by and between Sourcechutzgezellschaft m. b. H. and Continental-Diamond Fibre Company, relating, among other things, to the formation of a corporation to be known as "Haveg Corporation",

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

JAMES E. MARKHALL. Alien Property Custodian.

[F. R. Doc. 44-5860; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3416]

### DR. ERICH CLAR

In re: Interest of Dr. Erich Clar is an agreement with E. I. du Pont de Nemours and Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Dr. Erich Clar is a resident of Czechoslovakia and is a national of a foreign country (Czechoslovakia);

2. That the property described in subparagraph 3 hereof is property of Dr. Erich Clar;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Dr. Erich Clar by virtue of an agreement dated November 1, 1936 (including all modifications thereof and supplements thereto, if any) by and between Dr. Erich Clar and E. I. du Pont de Nemours and Company, which agreement relates, among other things, to United States Letters Patent No. 2,172,020,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property it-celf constitutes interests held therein by, a national of a foreign country (Czechoslovakia):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence; validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

JAMES E. MARKHAM. [SEAL] Alien Property Custodian.

[F. R. Dac. 44-5861; Filed, April 25, 1944; 11:15 a. m.l

# [Vesting Order 3417]

### I. G. FARBENINDUSTRIE AKTIENGESELL-SCHAFT

In re: United States Patent No. 1,826,-433 of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Ferbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;
3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Patent:

Patent Number, Date of Issue, Inventor, and Title

1,826,433; 10-6-31; Gustav Pistor, Robert Suchy and Emil Reubke; Process of simultaneously volatilizing phosphorus and producing latent hydraulic binders.

is property of a national of a foreign coun-

try (Germany);
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

James E. Markham, [SEAL] Alien Property Custodian.

[F. R. Doc. 44-5862; Filed, April 25, 1944; 11:15 a. m.]

[Vesting Order 3418]

### BENJAMIN ROOS

In re: Interest of Benjamin Roos in a patent and in an agreement with The Roessler & Hasslacher Chemical Com-

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Benjamin Roos is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Benjamin Roos; 3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself-constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

JAMES E. MARKHAM, Alien Property Custodian.

### EXHIBIT A

(a) An undivided one-half (1/2) interest which stands of record in the United States Patent Office in the name of Benjamin Roos in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,699,377; 1-15-29; Benjamin Roos; Sodium sulphide pellet.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Benjamin Roos by virtue of an agreement (including all modifications thereof and supplements thereto, if any) by and between Benjamin Roos and The Roessler & Hasslacher Chemical Company, evidenced by a letter dated October 28, 1924 from The Roessler & Hasslacher Chemical Company to Benjamin Roos, which agreement relates to Patent No. 1,699,377.

[F. R. Doc. 44-5863; Filed, April 25, 1944; 11:15 a. m.]

# [Vesting Order 3419] WALTER FRIEDERICH

In re: Reissue patent of Walter Friederich.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Walter Friederich is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in sub-paragraph 3 hereof is property of Walter. Friederich:

That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringements thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

Re. 19,953; 5-5-36; Walter Friederich; Process of manufacturing nitrous oxide.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such

Any person, except a national of a designated country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim. together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April

4, 1944. [SEAL]

JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 44-5864; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3420]

SOCIETE RHODIACETA

In re: Patent and interests of Societe Rhodiaceta and/or Societe pour la Fabrication de la Soie Rhodiaseta in an agreement with Du Pont Rayon Com-

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

- 1. That Societe pour la Fabrication de la Soie Rhodiaseta and Societe Rhodiaceta are corporations organized under the laws of France and are nationals of a foreign coun-
- try (France);
  2. That the property described in subparagraph 4a hereof is property of Societe
- Rhodiaceta;
  3. That the property described in subparagraph 4b hereof is property of Societe pour la Fabrication de la Soie Rhodiaseta and/or Societe Rhodiaceta;
- 4. That the property described as follows: (a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,244,281; 6-3-41; Jean Marie Alibert; Cellulosic structure apparatus and method for producing same.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe pour la Fabrication de la Soie Rhodiaseta by virtue of an agreement dated January 1, 1928 and executed on July 27, 1928 (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated December 23, 1936 from E. I. du Pont de Nemours & Company to Societe pour la Fabrication de la Soie Rhodiaseta, two letters dated May 5, 1941 and August 13, 1941, from E. I. du Pont de Nemours & Company to Societe Rhodiaceta and a letter dated March 20, 1940 from Societe Rhodiaceta to E. I. du Pont de Nemours & Company) by and between Societe pour la Fabrication de la Sole Rhodiaseta and Du Pont Rayon Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,277,486,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and

such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate concultation and certification, and deeming it necessary in the national

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-5865; Filed, April 25, 1944; 11:16 a. m.]

> [Vesting Order 3421] HEINRICK NEUHAUSS

In re: Interest of Heinrich Neuhauss in an agreement with The Ajax Metal

Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Neuhauss is a resident of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Heinrich Neuhauss

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country

(Germany);
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended. Executed at Washington, D. C., on

April 4, 1944.

[SEAL] James E. Markham, Alien Property Custodian.

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement here-inafter described, together with the right to one therefor) created in Heinrich Neuhauss by virtue of an agreement dated May 7, 1923 (including all modifications thereof and supplements thereto, if any) by and between Helnrich Neuhauss and The Ajax Metal Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,946,873.

[P. R. Doc. 44-5866; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3422]

CHEMISCHE FABRIK POTT AND COMPANY, G. M. B. H.

In re: Patents and interests of Chemische Fabrik Pott and Company, G. m. b. H. and Chemische Fabrik Pott and Company in an agreement with The Newport Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Chemische Fabrik Pott and Company is or was a business organization organ-ized under the laws of Germany and is or was a national of a foreign country (Ger-

2. That Chemische Fabrik Pott and Company, G. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 4 hereof is property of Chemische Fabrik Pott and Company and Chemische Fabrik Pott and Company, G. m. b. H.:

4. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

# EXHIBIT À

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Fabrik Pott and Company by virtue of an agreement dated August 10, 1927 (including all modifications thereof and supplements thereto, if any) by and between Chemische Fabrik Pott and Company and The Newport Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,944,367.

[F. R. Doc. 44-5867; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3423]

PAUL TSCHAMMER

In re: Patent of Paul Tschammer. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Paul Tschammer is a resident of Germany and is a national of a foreign country (Germany);

That the property described in subparagraph 3 hereof is property of Paul Tschammer;
 That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past intringement thereof, in and to the following United States Patent:

Patent Number, Date of Issue, Inventor, and Title

1,949,287; 2-27-34; Paul Tschammer; Dyeing and washing tray.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

James E. Markham, Alien Property Custodian.

[F. R. Doc. 44-5868; Filed, April 25, 1944; 11:16 a. m.]

[Vesting Order 3424]

HELMUT JUNGHANS, ET AL.

In re: Patents of nationals of Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That each of the persons to whom reference is made in the column headed "Owner" in Exhibit A attached hereto and made a part hereof, if an individual, is a resident of, or, if a corporation or other business organization, is organized under the laws of, Gormany and is a national of a foreign country (Germany);

2. That the patents and other property related thereto identified in subparagraph 3 hereof are property of the persons whose names appear opposite the respective num-

bers thereof in said Exhibit A;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached heroto and made a part hereof,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

### Ехнии А

Patent Number, Date, Inventor, Owner, and Title

Re. 19,755; 11-12-35; Helmut Junghans; Helmut Junghans & Gebruder Junghans A. G.; fuses for aeroplane defense projectiles.

1,644,951; 10-11-27; Olof Rodhe; H. Maihak A. G.; continuously operating gas analyzing apparatus.

1,661,049; 2-28-28; Olof Rodhe; H. Maihak A. G.; arrangement in discontinuously operating gas analyzing apparatus.

1,661,627; 5-6-28; Olof Rodhe; H. Maihak A. G.; methods of analyzing gas mixture. 1,919,861; 7-25-33; Olof Rodne; H. Maihak A. G.; apparatus for analyzing the gaseous content in liquids.

2,013,012; 9-3-35; Gustave Tauschek; Anna Franziska Brydl; record filing and selecting

apparatus.

2,026,330; 12-31-35; Gustave Tauschek; Anna Franziska Brydl; reading machine.

2,080,100; 5-11-37; Gustave Tauschek; Anna Franziska Brydl; method and means for storing and selecting records.

2,099,993; 11-23-37; Gustave Tauschek; Anna Franziska Brydl; firearm.

[F. R. Doc. 44<sup>2</sup>5869; Filed, April 25, 1944; 11:16 a. m.]

# [Vesting Order 3425]

# ALBERT KRAUTZBERGER

In re: Interest of Albert Krautzberger

in a reissue patent.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Albert Krautzberger is a resident of Germany and is a national of a foreign country (Germany);

That the property described in subparagraph 3 hereof is property of Albert Krautz-

3. That the property described as follows:
All right, title and interest (including, but not by way of limitation, licenses and other contractual rights) created or reserved in Albert Krautzberger, in or by an assignment from Albert Krautzberger to Royce A. Ruess dated June 14, 1934 and recorded in the assignment records of the United States Patent Office on July 12, 1934 in Liber G 160, page 447, and in or by an assignment from Royce A. Ruess to The DeVilbiss Company dated April 9, 1936 and recorded in the assignment records of the United States Patent Office on April 9, 1936 in Liber K 166, page 91, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

Reissue 19,907; 3-31-36; Albert Krautzberger; means for coating by spraying.

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 4, 1944.

[SEAL]

James E. Markham, Alien Property Custodian.

[F. R. Doc. 44-5870; Filed, April 25, 1944; 11:16 a. m.]

# [Vesting Order 3455]

### CHRISTIAN BAHNSEN

In re: Estate of Christian Bahnsen, deceased; File D-28-7851; E. T. sec. 8573.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Allen Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Bahnsen, John Detjens and Samuel D. Leiderdorf, Co-executors of the estate of Christian Bahnsen, deceased, acting under the judicial supervision of the Passaic Courty Orphans' Court of Paterson, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Ger-

many, namely,

National and Last Known Address

Elizabeth Stockhausen, Othmarzehen (near Altona), Germany.

And determining that-

(3) If such national is a percon not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Stockhausen, in and to the Estate of Christian Bahnsen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should

be determined that such return should be made or such compensation should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL]

James E. Markham, Alien Property Custodian.

[F. R. Doc. 44-5871; Filed; April 25, 1944; 11:12 a. m.]

# [Vesting Order 3456]

### MORITZ BAMBERGER

In re: Trust created under the will of Moritz Bamberger, deceased; File: D-28-1773; E.T. sec. 922.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

- (1) The property and interests hereinafter described are property which is in the process of administration by the Walker Bank and Trust Company, Trustee, acting under the judicial supervision of the Third Judicial District Court, in and for Salt Lake County, State of Utah;
- (2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Laura Grunebaum Oppenheim or her heirs, Holland.

And determining that—

(3) Laura Grunebaum Oppenheim or her heirs, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied area, Holland, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Laura Grune-baum Oppenheim or her heirs, and each of them, in and to the Trust Estate created under the will of Moritz Bamberger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

No. 84----5

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Gustodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

JAMES E. MARKHAM. [SEAL] Alien Property Custodian.

[F. R. Doc. 44-5872; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3457]

### ELISE BECKENBACH

In re: Estate of Elise Beckenbach, deceased; File F-28-9214; E.T. sec. 2468.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Carl F. Bollmann, as Administrator, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelm Beckenbach, Germany. Christine Katharine Landau, Germany. Irmgard Marianne Grein, Germany. Irene Gertrud Grein, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and '

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Beckenbach, Christine Katharine Landau, Irmgard Marianne Grein and Irene Gertrud Grein, and each of them, in and to the estate of Elise Beckenbach, late of Framersheim. Germany, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts. pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL]

JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-5873; Filed, April 25, 1944; 11:12 a. m.]

# [Vesting Order 3458] Andrew Beres

In re: Andrew Beres, also known as Andy Geres, vs. Teres Szegedi Beres; File D-34-662; E.T. sec. 7946.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Louis A. Mezey, trustee, acting under the judicial supervision of the Court of Chancery of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of designated enemy country, Hungary, namely.

National and Last Known Address

Teres Szegedi Beres, Hungary.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it neces-sary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Teres Szegedi Beres in and to the Trust established by an Order of the Court of Chancery of New Jersey, dated December 16, 1941, and entered in a proceeding entitled Andrew Beres, also known as Andy Geres, vs. Teres Szegedi Beres,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL]

JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-5874; Filed, April 25, 1944; 11:12 a. m.]

[Vesting Order 3459]

MADELINE BERGER In re: Estate of Madeline Berger, de-

ceased; File D-28-8381; E.T. sec. 9710. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Wilhelm F. Droyfuss, Executor, acting under the judicial supervision of the Superior Court of the State of

Arizona, in and for the County of Pima;
(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Gormany, namely,

National and Last Known Address Hilde Heineman, Germany,

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hilde Heineman, in and to the Estate of Madeline Berger, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5875; Filed, April 25, 1944; 11:13 a.m.]

# [Vesting Order 3460]

# MARIA KATERINE BERND

In re: Estate of Maria Katerine Bernd, deceased; File D-28-1981; E. T. sec. 2035).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Otto A. Deffaa, as Executor of the Estate of Maria Eaterine Bernd, deceased, 3115 Grand Concourse, Borough of Bronx, City and State of New York, acting under the judicial supervision of the Surrogate's Court, County of Bronx, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Julius Bernd, Germany,

The wife and four children of Julius Bernd (whose names are unknown), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title and interest and claim of any kind or character whatsoever of Julius Bernd, the wife and four children of Julius Bernd, (names unknown), and of each of them, in and to the Estate of Maria Katerine Bernd, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date thereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-5876; Filed, April 25, 1944; 11:13 a. m.]

# [Vesting Order 3461]

# AUGUST BIEDERMANN

In re: Estate of August Bledermann, deceased; File D-28-7621; E.T. sec. 8026.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Allen Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Arno Biedermann, 1336 East 34th Street, Brooklyn, New York, Executor, Ferdinand L. Biedermann, 6023 65th Avenue, Queens, New York and Charles Froeb, 671 Lafayette Avenue, Brooklyn, New York, Co-executors acting under the judicial supervision of the Surrogate's Court, Kings Country, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address
Joseph Biedermann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Joseph Biedermann in and to the estate of August Biedermann, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-5877; Filed, April 25, 1944; 11:13 a. m.]

# [Vesting Order 3462]

# ANNA BIELEFELD

In re: Trust under the will of Anna Bielefeld, deceased; File D-28-3327; E. T. sec. 741.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9035, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

- (1) The property and interests hereinafter described are property which is in the process of administration by Charles A. Tcchopp, Paterson, New Jersey, and Joseph T. Keller, Paterson, New Jersey, Trustees, acting under the judicial supervision of the Passalc County Orphans' Court, Paterson, New Jersey; and
- (2) Such property and interests are payable or deliverable to, or claimed by a national

of a designated enemy country, Germany, namely,

National and Last Known Address

Katie Auer, Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Katie Auer in and to the Trust Estate created under the Last Will and Testament of Anna Bielefeld, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof. or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property-Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 44-5878; Filed, April 25, 1944; 11:13 a. m.]

# [Vesting Order 3463]

# MARIE BLAU

In re: Estate of Marie Blau, also known as Hulda Clara Marie Blau, deceased; File F-28-17286; E. T. sec. 1509.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Richter, as An-cillary Administrator with the Will annexed, acting under the judicial supervision of the Surrograte's Court of Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Hugo Ernst Georg Zimmerman, Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all actions, after appropriaté consultation and certification, required by said Executive Order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hugo Ernst Georg Zimmerman in and to the Estate of Marie Blau, also known as Hulda Clara Marie Blau, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL]

James E. Markham. Alien Property Custodian.

[F. R. Doc. 44-5879; Filed, April 25, 1944; 11:13 a. m.]

# [Vesting Order 3464]

### CARRIE BOEHME

In re: Estate of Carrie Boehme, deceased, File No. D-28-1636; E.T. sec. 470.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are propery which is in the process of administration by the Federal Trust Company, as executor and trustee, acting under the judicial supervision of the Orphans' Court, Essex County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Marie Alten, Germany. Albert Boehme, Germany. Anna Boehme, Germany. Else Reese, Germany. Fritz Boehm, Germany. Johanna Marie Henriette Boehme, Germany.

Guenther Boehme, Germany, Lisa Boehme, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the na-tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made-all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Alten, Albert Boehme, Anna Boehme, Else Reese, Fritz Boehme, Johanna Maria Henrictto Boehme, Guenther Boehme, Lisa Boehme, and each of them, in and to the Estato of Carrie Boehme, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: April 17, 1944.

[SEAL] JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 44-5880; Filed, April 25, 1944; 11:14 a. m.]

# [Vesting Order 43, Amdt.]

## AMBER MINES, INC.

Vesting Order Number 43, dated July 1. 1942, is hereby amended as follows and not otherwise:

By deleting therefrom "\$50 par value common stock", and by substituting therefor "no par value common stock".

All other provisions of such Vesting Order Number 43 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 17, 1944.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 44-5854; Filed, April 25, 1944; 11:14 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

° [Supp. Order ODT 15, Rev. 1]

MARTIN MARINE TRANSPORTATION CO. OPERATIONS WITH TUG "P. F. MARTIN"

Pursuant to the provisions of § 502.35 of General Order ODT 15, Revised (7 F.R. 10487); It is hereby ordered, That:

1. Martin Marine Transportation Co.,

- 1. Martin Marine Transportation Co., Wilmington, Delaware, shall not use or operate the tug P. F. Martin, No. 200439, or permit the use or operation of such tug in any service, except the towing of barges between Hampton Roads, Virginia, and New York, New York.
- 2. The provisions of this order shall be subject to any special permit issued by the Director, Division of Coastwise and Intercoastal Transport, Office of Defense Transportation, New York, New York, to meet specific needs or exceptional circumstances or to prevent undue public hardships.
- 3. Communications concerning this order should refer to "Supplementary Order ODT 15, Revised-1" and, unless otherwise directed, should be addressed to the Director, Division of Coastwise and Intercoastal Transport, Office of Defense Transportation, New York, New York.

Issued at Washington, D. C., this 26th day of April 1944.

J. M. Johnson,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-5932; Filed, April 26, 1944; 11:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 426, Order 1]

GRAPES IN NEW YORK, N. Y.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail.

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and for the reasons set forth in an opinion accompanying this order, It is ordered:

(1) That importers may sell grapes of "Almeria," "Santa Paula," "Maravilla de Malaga," "Angelino," "Emperor," "Lactuario," or "Alfonso Lavalle" varieties, in any quantities, in New York City alone, at a maximum price of 16½ per pound, without addition of any amount on account of transportation or delivery charges, or for any other reason;

(2) That the maximum price for which a carlot distributor (as defined in footnote 5 to the table in Appendix D of Maximum Price Regulation No. 426) may sell the above described grapes in New York City is 16.7¢ per pound;

(3) That the maximum price for which any person other than an importer may sell the above described grapes in New York City in less-than-carload or less-than-truckload quantities to any person other than an ultimate consumer is 18¢ per pound;

(4) That the maximum price at which any of the grapes covered by this order may be sold by any person outside of New York City is the maximum price for grapes established by Appendix D of Maximum Price Regulation No. 426.

This order shall become effective April 26, 1944, and shall expire on May 20, 1944, as to importers and on June 15, 1944, as to all other sellers.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of April 1944.

James F. Brownlee,

Acting Administrator.

[F. R. Doc. 44-5946; Filed, April 26, 1944; 11:55 a. m.]

[MPR 120, Order 665]

A. D. CLARK COAL CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

### Correction

In F.R. Doc. 44–4608, appearing on page 3608 of the issue for Tuesday, April 4, 1944, the maximum price for rail shipments, Size Group No. 15, in the table for A. D. Clark Coal Co. should be "\$2.10".

[MPR 120, Amdt. 1 to Order 280]

BITUMINOUS COAL IN APPAROOSE COUNTY,
IOWA

# EXTENSION OF EXPIRATION DATE

Amendment No. 1 to Order No. 290 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket No. 3120-491. Order extending expiration date of Order No. 290 under Maximum Price Regulation No. 120. Bituminous coal in Appanoose County, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, It is ordered:

Paragraph (f) of Order No. 290 is hereby deleted. This Amendment No. 1 to Order No. 290 shall become effective April 27, 1944. Issued this 26th day of April, 1944.

JAMES F. BROWNLEE, Acting Administrator.

[F. R. Doc. 44-5947; Filed, April 26, 1944; 11:55 a. m.]

[MPR 120, Order 694]

DOMESTIC COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATION

#### Correction

In F.R. Doc. 44–5355, appearing at page 4116 of the issue for Tuesday, April 18, 1944, the maximum price for railroad fuel shipments, Size Group No. 7, in the first table on page 4117, should be "2.50". In the second table on page 4117, the price classification for Size Group No. 5 should be "G".

Regional and District Office Orders. [Region IV Order G-17 Under RMPR 122, Amdt. 13]

SOLID FUELS IN ROME, GA., AREA

Amendment No. 13 to Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix III—Maximum prices for solid fuels in the City of Rome and certain adjacent territory in the State of Georgia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by \$1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G-17, It is hereby ordered. That:

is hereby ordered, That:
Paragraph (m) (3) (i) of said Order
No. G-17 be amended by changing the
ton price for Block from Sub-district
No. 6 (Southern Appalachian) from \$4.95
to \$4.66.

This Amendment No. 13 to Order No. G-17 shall become effective April 11, 1944. (56 Stat. 23, 765; Pub. Law 151, 78th

Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued April 13, 1944.

ALEXANDER HARRIS, Acting Regional Administrator.

[P. R. Doc. 44-5720; Filed, April 21, 1944; 4:50 p. m.]

[Region VI Order G-5 Under RMPR 122, Amdt. 4]

SOLID FUELS IN TWIN CITIES AREA

Amendment No. 4 to Order No. G-5 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Twin Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price

Regulation No. 122, and for reasons stated in the opinion ordered that the price schedule set forth in paragraph (c)	stated is	n the c	pinion ph (c)	issued l	herewith, i Order No.	, it is		Domestic coal	c coal	Steam coal	coal	Dealer at yard	yard
as amended, be and it is hereby amen	ded to r	sad as 1	ollows:	-			. Description		Con-		-		
,	Domestic coal	c coal	Steam coal	coal	Dealor at yard	yard		ered	sumer at yard	Delivered	e E	Domestic	Steam
Description	Delivered	Con-	Delivered		Domestic	Steam	pri .	61	e		.5	•	-
				at yard	-		VI. High volatile bituminous coal from district #10 (11); A Southern Subdistrict:					·	
	Ť		•	Ì	1		1. Bgg 6" 3" 9. Small out 3" x 2"		\$10.45	\$9.75	\$9.35 05.35	8.8 5.5	8.78 5.75
I. Low volatile bitumineus ceal from Dist. #7 (W. Va. & No. Va. Smokeless):		;	-		-		3. 8love 2" x 134". 4. Raw sereonings, not exceeding (2" x 0)	58	e. %	2.00	88,	7.95	6.89 10 10
2. Egg. 3'' x 2'' and over and egg mixed		388	14.10	5.55	25.55 25.55	13,55	<ol> <li>Commercial stoker screenings, washed and dedusted, 2" x 0 and smaller</li></ol>	Ġ	8.75	7.50	2.00	7.50	6.50
4. Pea or Nut, 113" x 98" 5. Stoker Pea, 58" x 14"	44.64 88.88	12.21 28.83	288	1111	388	10.01	6. Special propared (double screened) domestic control and district, price Group Nos. 12 and	10.35	.0.35	8.15	7.76	8.15	7.15
6. Onscreened stoker (buckwheat) 7. Screenings $96'' \times 0$ and larger 8. Run-of-mine.		10.53	5.0.5	9.9.5 2.9.8	0.0.1 88.8	0,00,00 21,50,50	13: Lump, 6", 6", 7"	55	.0.0	8,	8.2	3.8	7.85
Coal from Mine Index No. 73, the Glen Regers Mine of the Raleigh Wyoming Coal Company:		} }-	<u>-</u>	3		}	3. Egg, 3" x 2" 3. Egg, 3" x 2" 4. Stoye, 2" x 14"	398	328	388	22.25	7.7. 156:	: :48
9. Lump, 2" and over 10. Egg, 3" x 2" and larger	16.40	15.45 57.5	15.30	14.55	17.5 18.65	5.4.5 5.69 5.69	6. Washed screenings, 13% x 0.  G. Belleville subdistrict Price Group No. 17:	œί	. 7.75	9.0	6.10	8	6. 10
H. Stove, Z. X 147, and larger H. High volatile bituminous coal from Dist. #8 (Southern W. Va., Va., Eastern Ky., Northern		15.20	14.70	14. 30	13. 45	13.70	1. Beg, 7" x 4" 2. Beg, 4" x 2" 3. Stove, 2" x 13"	555 588	9.9.9 25.25	න න න විසිසි	888 888	7.7.7 588	. 7.75 7.55 55 55 55
Tonn.): 1. Lump, 2" and over: 1. A. Promittm Ky fine coals in High Splint			-		·		4. Washed screenings, 1/2" x 0.	Ċ			02 3	0° 30	g g
Millors Oreok and Jellico Scams and		13.35	12,50	12, 10	8	11.50	and #3 (Northern W. va. & Western Fa.):  1. Lump 2" and over	ij	11.90	11.00	10.60	10.15	10.00
B. Elkhorn.	13.53 80.53 80.53	121.21 28.88	12.10	111	888	110	3. Store, 2" x 2". 3. Store, 2" x 1½".	388	288 i::::	10.0	585	322	9.0° 84.6
D. Dorothy, Hazard		12121 4881	11.75	11.36	10.85	10.75	5. Serconlugs 134" and not exceeding 2" x 0. 6. Modified serconings.	idd		888	:0,0 248	888 888	: :88
A. Premium Kontucky (inc. coals in High						•	VIII. Ponnsylvania anthracito: A. To and Inc. May 31, 1944:		_ t			5	, _ 6
and No. 5 Seam Coal in Price Class. A)		13,16	12.30	11.90	86	21.3	2. Pea.	222	22.52	719 AK	190	13.95	19 45
C. Harlan D. Dorothy, Hazard	13.53 5.63 5.63	12121	11.75	11:33	10.85	10.01 55.75	B. On and after June 1, 1944 to and inc. June 30, 1944	00.11	00. et	07.07	3	 1	2 4
E, Island Creek.		12.20	11.35	10.95	10, 45	10, 35	1. Egg, stove, nut.	17.95	16.95 15.40			13.20 13.83 .:	
A. Premium Ky. (inc. coal in High Splint, Miller's Creek and Joillee Beams and No. 6 Miller's Coal it. Parc. Chies A.		ç		¥	ž	5	3. Buckwheat  IX. High volatile bitumineus coal from Arkansas	Ŧ.	13.60	13, 15	12.75	11.85	12.15
B. Ethorn.		12.5	1111	328	388	50.5	and Oklahoma, Dist. #14 ("Somi-anthracito"): 1. Egg, stove, nut.	15.75	14.75	27 0	30	13.00	7 48
D. Dorothy, Hazard E. Island Greek	13.05 12.85	11.12	88	88	10.30	5.5 88	X. By-product coke:  J. Bere stove, nut.	14.35	13.35	12.90	12.50	11.60	11.90
4. Domestic stoker (double screened coal): A. Premium Ky. (inc. coals in High Splint,		•					2. Pea.						
Miller's Oreak and Jellico Seams and No. 5 Soam Coal in Price Class A) Elk-		;	;		;		1. Briquettes and from Beekley Seam District			13. 10	12.70	11.80	12.10
B. Dorothy, Hazard, Island Creek	12.12.53	::: ::::	99 88 88	38 36	5.6. 5.8.	38	No. 7 Coal XII. Packaged (uel	14.75	13.75	13.30	12.90	12.00	12.30
Va., In Price Class. H and in sizes	12.35	11.35	10.30	9.30	10.10	9.30	Western Kontucky):  A 14th and Straw Roams.						
<ol> <li>Screenings 1K" and not exceeding 2" x 0:</li> <li>A. Promium Ky. (inc. coals in High Splint,</li> </ol>							1. Efg. 6"x3" and 3" x 2" 2. Weshed screenings (larger than ¾" x 0,	1.93	9.02	9.25	8.85.	8.3	828
Miller's Creek and Jellico Scams and No. 5 Scam Coal in Prico Class. A). Elkhom.	11.45	10.45	9.25	8.85	9.20	8.25	NIV. High volatile bituminous coal from Dist. #11	9.53	% %	7.40	8.2		. 4.9
D. Dorothy Screenings, and Island Creek C. Hazard, and Island Creek	11.30	88	e.e.	%% 53	8.8	6.8 2.8 8.8	(Indiana): A. Linton-Sullivan subdistrict, 4th vein, in A. Linton-Sullivan groups (including price						
III. Cannel coal from Dist. #8 (W. Va. & Eastern Ky.):					1		Group No. 13): 1. Eeg. 8" x 4"	10.93	9.92	9.25	3.85	8.20	\$.25
1. Lump, 2" and over, egg.  IV. Low volatile bituminous coal (Smithing) from	15.33	8			13.15	-	2. Est 4" x 2" 3. Stove, 2" x 1M"	53 53 53	ල සි ස් ස්	888 888	888	27.75	% F. 4
Ust. Ft (W. Va. and Abritich Vi.):  V. Southern mid-volatile bitmingus coal from	14.95	13.95	13.50	13.10	12.20	12.50	4. Washed sure. 134" x 34. 5. Washed screenings (larger than 38" x 0. but not exceeding 2" x 0.		ន ដ ៖ ឃ	7.10	8 8	2.10	8 8
Dist. #7 and #3 and Dist. #3 coal in Price Class. A. 1. Lump, 2" and over		13.50	13.05	12.63		- 1			-    ;		-  :		
2. EST. 3. Stort, Z' x 1¼" 4. Vitt 11," x 84"	777 888	55 58 58	4 8 8	844 83	11.63	77 83	To the above prices there may be added for calcium treated coal, if charged for at the mine, the sum of 80.10 per for,  To the above prices there may be added for all treated, was treated or achiem treated coal, if charged for at the dollar,  on the mail solding treated of the dollars word the sum of 81 fact that	treated coal	if charge ted or cale	for at the inn treated	mine, the si lecal, if cha	ne of so.ro	De dock
5. Screenings 14" and not exceeding 2" x 0.		10.45	9.23	8.83	9.30	8	To the above price there may be addy for scaling	क्षा हुन्य	ीर सम्बद्धाः स्थाप	norder			
•													

This amendment No. 4 to Order No. G-5 shall become effective April 15, 1944. (56 Stat. 23, 765, Pub. Laws 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of April 1944.

RAE E. WALTERS,
- Regional Administrator.

[F. R. Doc. 44-5718; Filed, April 21, 1944; 4:49 p. m.]

[Region VI-Order G-14 Under RMPR 122, Amdt. 4]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Amendment No. 4 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, *It is* ordered, That section (c) (1) of Order No. G-14 as amended, be and it is hereby amended to read as follows:

(c) Price Schedule. (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal or čoke for which prices are established. Column 2 shows the maximum prices for "direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of more than 1 ton. Column 4 shows the maximum prices for "yard sales" of domestic fuel. Column 5 shows the maximum prices for "commercial" or "steam" sales and Column 6 shows the maximum prices for "yard sales" to dealers. The terms "direct delivery", "yard sales" and "commercial sales" are defined in paragraph (j) of this order.

AREA PRICES FOR MILWAUKEE, WISCONSIN

Description	Domestic 34 ton	Domestic 1 ton or more 3	Domestic at yard	Cem- mercial 5	Dealer at yard
I. Hi-volatile bituminous, Dist. £2 and £3  1. Lump 2" or larger  2. Egg and lump mixed  3. Stove 2" x 1½" and larger  II. Low volatile bituminous, Dist. £7:	\$5.45 5.40 5.35	89.40 9.80 9.80	\$9.15 9.05 8.20		\$7.60 7.40 7.23
1. Egg 3" x 2" and larger. 2. Stove 2" x 1¼" and larger. 3. Nut 1¼" x ¼ and larger. 4. Pea 5%" x ¼ and larger. 5. Screenings 8;" x 0 and larger.	6,60	13, 90 13, 15 12, 15 11, 25 8, 80 10, 35	13, 15 12,40 11,40 10,50 8,65 9,60	\$12.25 11.29 10.29 7.00 8.70	11,50 10,75 9,75 8,85 6,49 7,65
6. Run of mine.  III. Hi-volatile bituminous, Dist. #8:  1. Lump, 2" and larser:  A. Miller's Creek.  B. Elkhorn.  C. Dorothy.  D. Island Creek.  E. Hand Picked Fireplace, Class A.	5.50 5.80	11. 10 10. 75 10. 55 10. 35 11. 65	10, 35 10, 00 9, 80 2, 60 10, 99	2.45 2.19 8.20 8.70	8.70 8.33 8.15 7.65 0.23
2. Egg: A. Miller's Creek B. Elkhorn C. Dorothy D. Island Creek	5.90 5.80	10,75 10,55 10,35 10,20	10.00 9.80 9.60 9.45	6.19 8.69 8.70 8.25	8.35 8.15 7.25 7.80
3. S ove: A. Miller's Creek B. Elkhorn C Dorothy D. Island Creek	5,70 5,65 5,60 5,55	10, 35 10, 20 10, 20 10, 10	9,60 9,55 9,45 9,25	8.70 8.65 8.65 8.45	7.83 7.80 7.80 7.70
4. Stoker: A. Unscreened B. Rescreened	5.70 5.90	10.35 10.75	2.60 10.00	8.05 2.05	7.65 8.35
b. Screenings: A. Miller's Creek. B. Elkhorn C. Dorothy D. Island Creek. IV. Hi-volatile, bituminous, Dist. #10 (Southern subdistrict):	5.10 5.00	9.20 9.20 9.60 8.60	8.45 8.45 8.25 8.15	7.00 7.00 7.30 7.00	0.50 0.80 0.60 0.70
1. Egg, 3" x 2" 2. Screenings V Penrsylvania anthracite:	& 15 4.90	9.30 8.75	8.25 8.00		0.90 0.35
A. To and including May 31, 1944:  1. Egg, stove, nut	7.50	15.50 14.00 12.29 10.10	14.75 13.35 11.65 0.35		13, 15 11, 60 9, 90 7, 70
June 30, 1944:  1. Egg, stove, nut 2. Pea 3. Buckwheat 4. Rice	6.50	15, 20 13, 70 12, 00 9, 85	14, 45 13, 65 11, 25 9, 10		12.85 11.53 9.60 7.45
VI. By-product coke: I. Egg, stove, nut. VII. Briquettes, all types.	7.35 6.80	13.65 12.55	12.90 11.80		11, 15 10, 15

This amendment No. 4 to Order No. G-14 shall become effective as of April 15, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78 Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of April 1944.

RAE E. WALTERS,

Regional Administrator.

[P. R. Doc. 44-5719; Filed, April 21, 1944; 4:49 p. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-876]

Wheeling Electric Co. and American Gas and Electric Co.

ORDER PERMITTING DECLARATION TO BECOME

At a regular session of the Securities and Exchange Commission, held at its office in the City Philadelphia, Pennsylvania, on the 24th day of April, A.D. 1944.

Wheeling Electric Company ("Wheeling"), a public utility company, and its corporate parent, American Gas and Electric Company ("American Gas"), a registered holding company, having filed a joint declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 7, 12 (c) and 12 (d) thereof, and Rules U-42, U-43 and U-50 promulgated thereunder with respect to the following transactions:

Wheeling will borrow from three New York City banks, Irving Trust Company, Bankers Trust Company and Guaranty Trust Company of New York, the sum of \$2,000,000 and will issue notes therefor bearing 2% interest. Semi-annual payments on account of principal will be made which will liquidate the loan in six years. The proceeds of the loan, together with treasury funds of Wheeling to the extent necessary, will be applied to:

(1) Redemption and cancellation of 24,856 shares of 6% preferred stock of Wheeling now in the hands of the public at the redemption price of \$110 per share plus any dividends unpaid to the date of redemption;

(2) Purchase for cancellation of 972 shares of said 6% preferred stock from American Gas for \$94,882.75 (stated to be American Gas' cost of such shares) plus accrued dividends thereon to the date of delivery.

The accrued dividends will be paid by Wheeling out of general funds. Upon the redemption or purchase and cancellation of all of the 6% preferred stock the capital of Wheeling will be reduced by \$2,582,800. Wheeling will amend its charter to eliminate from its capital structure the said preferred stock so that

the authorized shares of Wheeling will consist solely of 150,000 shares of no par value common stock. Wheeling presently has no outstanding funded debt.

The Public Utilities Commission of Ohio has authorized the issuance of promissory notes and the use of the proceeds together with other funds for the redemption and retirement of Wheeling's outstanding preferred stock.

Said declaration having been filed on March 29, 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the standards of section 7 will be satisfied by the issuance of the proposed note in that it is to be assued solely for the purpose of discharging the outstanding preferred stock of the declarant within the meaning of section 7 (c) (2) (A) that it is reasonably adapted to the security structure and earning power of declarant and other companies in the same holding company system within the meaning of sections 7 (d) (1) and 7 (d) (2) that it is appropriate to the economical and efficient operation of the business inwhich declarant is engaged within the meaning of section 7 (d) (3) and that the terms and conditions of the issue and sale are not detrimental to the public interest or the interest of investors or consumers within the meaning of section 7 (d) (6) and

The Commission further finding that the acquisition and retirement of the preferred stock of Wheeling will not adversely affect its financial integrity or its working capital or result in the circumvention of any of the provisions of the act or of the rules, regulations or orders thereunder within the meaning of section 12 (c) and that the sale by Amer ican Gas to Wheeling of the preferred stock of Wheeling held by it and the acquisition thereof by Wheeling at the cost thereof to American Gas require no adverse findings under the provisions of sections 12 (d) and 12 (f) and will not be detrimental to the public interest or the interests of investors or consumers and will not result in the circumvention of the provisions of this act or the rules. regulations or orders thereunder:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940)

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 44-5916; Filed, April 26, 1944; 10:53 a. m.]

[File No. 70-887]

WEST PENN POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of April, A. D. 1944.

Notice is herby given that an application or declaration (or both) has been filed pursuant to the Public Utility Holding Company Act of 1935 by West Penn Power Company, a registered holding company and a subsidiary of American Water Works and Electric Company, Incorporated, a registered holding company.

All interested persons are referred to said application or declaration (or both) which is on file at the offices of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

West Penn Power Company proposes to issue and sell \$12,500,000 principal amount of First Mortgage Bonds, Series L, 3%, due May 1, 1974. Such Series L Bonds will be sold through competitive bidding, pursuant to Rule U-50 promulgated under the Public Utility Holding Company Act of 1935.

The First Mortgage Bonds, Series L, 3% are proposed to be issued under the Indenture dated March 1, 1916 and Supplemental Indenture dated March 1, 1940 between the company and the Equitable Trust Company of New York (now succeeded by The Chase National Bank of the City of New York) as Trustee. Such bonds will contain a provision that the bearer or registered holder thereof waives that part of the covenant contained in the said Indenture whereby the company assumes any taxes with respect to such bonds.

The proceeds of the sale of such bonds, together with such other cash as may be required from the company's treasury, will be used by West Penn Power Company to redeem on September 1, 1944, \$12,500,000 principal amount of its First Mortgage Bonds, Series E, 5%, at 105% of the principal amount thereof together with accrued interest thereon.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration (or both) shall not be

granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on May 8, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Notice is hereby given of said hearing to the above named applicantdeclarant, to the Pennsylvania Public Utility Commission, and to all interested persons, said notice to be given to said applicant-declarant and to the Pennsylvania Public Utility Commission by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before May 5, 1944.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both) particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds meet the standards of the applicable provisions of the act and the rules promulgated thereunder.

(2) Whether the terms and conditions of the issue or sale of the bonds are detrimental to the public interest or the interest of investors or consumers.

(3) Whether the fees and commissions or other remuneration to whomsoever paid, directly or indirectly, in connection with the issue, sale or distribution of the bonds are reasonable.

(4) Whether, it is necessary and appropriate to impose terms and conditions in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

JF. R. Doo. 44-5917; Filed, April 26, 1944; 10:53 a. m.]